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Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
Docket No. 35551

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

UNITED STATES MALTSTERS ASSOCIATION,
ET AL.

§ 3.7 Aiding, assisting and abetting unfair or unlawful act or practice:
§ 3.24 (d) Combining or conspiring—To enhance, maintain or unify prices. In connection with the offering for sale, sale and distribution of malt in commerce, and on the part of respondent Association, and some 18 corporations, members thereof, and on the part of their respective officers, etc., entering into, continuing, cooperating in, or carrying out, or directing, instigating, or cooperating in, any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto, to (1) establish, fix or maintain prices, terms, or conditions of sale for malt, or adhere to or promise to adhere to the prices, terms, or conditions of sale so fixed; (2) hold or participate in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent United States Maltsters Association or any other medium or agency concerning proposed or future prices, terms, or conditions of sale; (3) exchange, distribute, or relay among manufacturing respondents, or any of them, or through respondent United States Maltsters Association or through any other medium or central agency, price lists or other information showing future prices, terms, or conditions of sale; or which show current prices, terms, or conditions of sale for the purpose, or which have the tendency or effect, of fixing prices for malt; (4) authorize or permit examination of the books or other records of the respondent manufacturers by any agent of the United States Maltsters Association or by any agent of the respondents, or any of them, to determine or check the prices at which any given respondent

manufacturer had made sales, is currently making sales, or expects to make sales; (5) formulate, establish, put into operation, continue, or use in any way, any reporting plan using Chicago, Illinois, or any other common basing point, which results in the establishment and maintenance among the respondent members or any two or more of them of uniform delivered prices to any given destination; (6) quote prices, terms, and conditions of sale determined under a method or system of a common basing point for the purpose, or with the effect, of making the delivered price quotation of any two or more of the respondents the same to any given destination; (7) formulate or put into operation any other practice or plan which has the purpose, or the tendency or effect, of fixing prices for malt; or employ or utilize any of the acts or practices specifically prohibited herein as a means or instrumentality of otherwise restricting, restraining, or eliminating competition in the sale and distribution of malt; and (8) employ or utilize respondent United States Maltsters Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, United States Maltsters Association, et al., Docket 3555, August 13, 1943]

In the Matter of United States Maltsters Association, Chilton Malting Company, The Columbia Malting Company, Froedtert Grain & Malting Co., Wm. E. Kreiner & Sons, Inc., The Kurth Malting Company, Interior Malt & Grain Co., The Ladish-Stoppenbach Company, George J. Meyer Malt & Grain Corp., Milwaukee Western Malt Company, Northwestern Malt & Grain Company, The Francis Perot's Sons Malting Co., Rahr Malting Co., H. W. Rickel & Company, L. Rosenheimer Malt & Grain Co., The Konrad Schreier Company, Albert Schwill & Company, Daniel D. Weschler & Sons, Inc., West Bend Malting Company, Wisconsin Malting Company

At a regular session of the Federal Trade Commission, held at its office in

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the City of Washington, D. C., on the 13th day of August, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, testimony and other evidence in support of the allegations of said complaint and in opposition thereto taken before Robert S. Hall, a trial examiner of the Commission theretofore duly designated by it, report of Webster Ballinger, a trial examiner appointed to prepare and file a trial examiner's report upon the evidence (vice Robert S. Hall, deceased), and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having duly made and entered its findings as to the facts, conclusion, and order to cease and desist, dated December 29, 1942; and the Commission having further considered said order to cease and desist heretofore issued and being of the opinion that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to counsel for the respondents; and counsel for the respondents having waived objection to the issuance of said modified order; and transcript of the record in the proceeding not having been filed in any Circuit Court of Appeals of the United States; and the Commission, having duly considered the record and being now fully advised in the premises, issues this its modified order to cease and desist:

It is ordered. That the respondents, United States Maltsters Association, an unincorporated association; Chilton Malting Company, a corporation; The Columbia Malting Company, a corporation; Froedtert Grain & Malting Co., a corporation; Wm. E. Kreiner & Sons, Inc., a corporation; The Kurth Malting Company, a corporation; The Ladish-Stoppenbach Company, a corporation; George J. Meyer Malt & Grain Corp., a corporation; Milwaukee Western Malt Company, a corporation; Northwestern Malt & Grain Company, a corporation; Perot Malting Company, a corporation; Rahr Malting Co., a corporation; H. W. Rickel & Company, a corporation; L. Rosenheimer Malt & Grain Co., a corporation; Schreier Malting Company, a corporation; Albert Schwill & Company, a corporation; Daniel D. Weschler & Sons, Inc., a corporation; West Bend Malting Company, a corporation, and Wisconsin

Malting Company, a corporation, and their respective officers, agents, representatives, and employees, in connection with the offering for sale, sale, and distribution of malt in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out, or directing, instigating, or cooperating in, any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to do or perform any of the following acts or practices:

1. Establishing, fixing or maintaining prices, terms, or conditions of sale for malt, or adhering to or promising to adhere to the prices, terms, or conditions of sale so fixed.

2. Holding or participating in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent United States Maltsters Association or any other medium or agency concerning proposed or future prices, terms, or conditions of sale.

3. Exchanging, distributing, or relaying among manufacturing respondents, or any of them, or through respondent United States Maltsters Association or through any other medium or central agency, price lists or other information showing future prices, terms, or conditions of sale; or which show current prices, terms, or conditions of sale for the purpose, or which have the tendency or effect, of fixing prices for malt.

4. Authorizing or permitting examination of the books or other records of the respondent manufacturers by any agent of the United States Maltsters Association or by any agent of the respondents, or any of them, to determine or check the prices at which any given respondent manufacturer had made sales, is currently making sales, or expects to make sales.

5. Formulating, establishing, putting into operation, continuing, or using in any way, any reporting plan using Chicago, Illinois, or any other common basing point, which results in the establishment and maintenance among the respondent members or any two or more of them of uniform delivered prices to any given destination.

6. Quoting prices, terms, and conditions of sale determined under a method or system of a common basing point for the purpose, or with the effect, of making the delivered price quotation of any two or more of the respondents the same to any given destination.

7. Formulating or putting into operation any other practice or plan which has the purpose, or the tendency or effect, of fixing prices for malt; or employing or utilizing any of the acts or practices specifically prohibited herein as a means or instrumentality of otherwise restricting, restraining, or eliminating competition in the sale and distribution of malt.

8. Employing or utilizing respondent United States Maltsters Association or

any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to Interior Malt & Grain Co., a corporation.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-13986; Filed, August 27, 1943;
11:36 a. m.]

[Docket No. 4320]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SALT PRODUCERS ASSOCIATION, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27
 (d) *Combining or conspiring*—To enhance, maintain or unify prices: § 3.27
 (h) *Combining or conspiring*—To restrain and monopolize trade. (I) In connection with offer, etc., in commerce, of salt, and on the part of respondent Salt Producers Association, respondent corporate salt producers and their officers, etc., and on the part of respondent Stevenson, Jordan & Harrison, Inc., and respondents Charles R. Stevenson and D. M. Metzger, respectively president and treasurer of said corporation, and on the part of their agents, etc., or any two or more of said respondents, with or without the cooperation of others not party hereto, entering into, continuing, or carrying out, or directing, instigating, or cooperating in, any planned common course of action, mutual agreement, combination, or conspiracy, to fix or maintain the prices of salt or curtail, restrict or regulate the production or sale thereof, and pursuant to any such planned or agreed common course of action, (1) establishing or maintaining uniform prices for salt, or uniform terms and conditions in the sale thereof, or in any manner agreeing upon, fixing, or maintaining any prices, including terms and conditions of sale, at which salt is to be sold; (2) adhering, or promising to adhere, to filed or published prices or terms and conditions of sale for salt pending the filing of changes therein with the Salt Producers Association, or with any other agency, or with each other; (3) continuing the delivered price zones heretofore used for making quotations and sales of salt, or establishing or maintaining any delivered price zones which are similar to those heretofore used in that their use would result as heretofore in making the delivered prices of the respective corporations identical despite their different costs of delivery; (4) exchanging, directly or through the Salt Producers Association, or any other agency or clearing house, price lists, invoices, and other records of sale show-

ing the quantity, current prices and terms and conditions of sale allowed by said corporations to dealers and distributors; subject to the provision, however, that nothing herein shall prevent said association from collecting and disseminating to the respective manufacturers figures showing the total volume of sales of salt without disclosing the sales volume of individual producers, for the purpose or with the effect of restraining competition in the offering for sale, or sale, of salt; (5) exchanging, directly or through the medium of the Salt Producers Association, or any other agency, the names of distributors or dealers who receive special discounts; for the purpose or with the effect of restraining competition in the offering for sale, or sale, of salt; (6) curtailing, restricting, or regulating the quantity of salt to be produced and sold by said corporations by any method or means during any given period of time for the purpose or with the effect of restraining competition in the offering for sale, or sale, of salt; and (7) doing, or causing to be done, any of the things forbidden by this order through the medium of said Stevenson, Jordan and Harrison, Inc., Charles R. Stevenson or D. M. Metzger, or any other corporation, firm or individual; and (II) doing or performing any of the things forbidden by this order, or aiding, assisting or cooperating in the performance thereof, on the part of respondents Stevenson, Jordan & Harrison, Inc., and respondents Charles R. Stevenson and D. M. Metzger, as officers thereof, and on the part of their agents, etc.; prohibited, subject to the proviso that nothing in this order is to be construed as prohibiting the respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are not prohibited by the provisions of an Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890, (the Sherman Act) as amended. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45) [Modified cease and desist order, Salt Producers Association, et al., Docket 4320, August 10, 1943]

In the Matter of Salt Producers Association, a Corporation; Avery Salt Company; Barton Salt Company; Carey Salt Company; Cayuga Rock Salt Company; Colonial Salt Company; Detroit Rock Salt Company; Diamond Crystal Salt Company, Inc.; International Salt Company; Jefferson Island Salt Company, Inc.; Hardy Salt Company; Morton Salt Company; Myles Salt Company, Ltd.; Mulkey Salt Company; Ohio Salt Company; Ruggles & Rademaker Salt Company; Saginaw Salt Products Company; Union Salt Company; Watkins Salt Company; Worcester Salt Company; American Salt Corporation; and Stevenson Corporation, a Corporation, and Its Officers, Charles R. Stevenson, T. M. Harrison, C. H. Ferris, N. M. Perris, E. G. Ackerman, A. H. Dyer, R. E. Case, F. L. Sweetser, W. R. Guthrie, A. P. Nonweiler, S. M. Hudson, R. R. Bliss, L. B. Platt, Howard Marvin and D. M. Metz-

ger, a Partnership, Doing Business Under the Firm Name of Stevenson, Jordan and Harrison

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of August, A. D. 1943.

This proceeding coming on for further hearing before the Federal Trade Commission, and it appearing that on November 10, 1941, the Commission made its findings as to the facts herein and concluded therefrom that respondents had violated the provisions of the Federal Trade Commission Act, and issued and subsequently served upon them its order to cease and desist; and it further appearing that respondents on January 9, 1942, filed in the United States Circuit Court of Appeals for the Seventh Circuit petition to review and set aside the Commission's order, and that on March 8, 1943, the said court rendered its opinion and on April 20, 1943, issued its decree modifying the aforesaid order of the Commission in certain particulars and affirming the order in other particulars:

Now, therefore, pursuant to the provisions of subsection (i) of sections 5 of the Federal Trade Commission Act, the Commission issues this its modified order to cease and desist in conformity with said decree:

It is ordered, That the respondents Salt Producers Association, a corporation, Avery Salt Company, a corporation, Barton Salt Company, a corporation, The Carey Salt Company, a corporation, Cayuga Rock Salt Company, a corporation, Colonial Salt Company, a corporation, Detroit Rock Salt Company, a corporation, Diamond Crystal Salt Co., Inc., a corporation, International Salt Company, a corporation, Jefferson Island Salt Company, Inc., a corporation, Hardy Salt Company, a corporation, Morton Salt Company, a corporation, Myles Salt Company, Ltd., a corporation, Mulkey Salt Company, a corporation, Ohio Salt Company, a corporation, Ruggles & Rademaker Salt Company, a corporation, Saginaw Salt Products Company, a corporation, Union Salt Company, a corporation, Watkins Salt Company, a corporation, Worcester Salt Company, a corporation, American Salt Corporation, a corporation, their officers, servants, agents and employees, and Stevenson, Jordan and Harrison, Inc., Charles R. Stevenson and D. M. Metzger, respectively president and treasurer of said Stevenson, Jordan and Harrison, Inc., and their agents, servants, and employees, or any two or more of said respondents, with or without the cooperation of others not parties hereto, in connection with the offering for sale, sale, and distribution of salt in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, or carrying out, or directing, instigating, or cooperating in, any planned common course of action, mutual agreement, combination, or conspiracy, to fix or maintain the price of salt or curtail, restrict or regulate the production or sale thereof, and from doing any of the following acts or things pursuant to

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any such planned or agreed common course of action:

(1) Establishing or maintaining uniform prices for salt, or uniform terms and conditions in the sale thereof, or in any manner agreeing upon, fixing, or maintaining any prices, including terms and conditions of sale, at which salt is to be sold;

(2) Adhering, or promising to adhere, to filed or published prices or terms and conditions of sale for salt pending the filing of changes therein with the Salt Producers Association, or with any other agency, or with each other;

(3) Continuing the delivered price zones heretofore used for making quotations and sales of salt, or establishing or maintaining any delivered price zones which are similar to those heretofore used in that their use would result as heretofore in making the delivered prices of the respective corporations identical despite their different costs of delivery;

(4) Exchanging, directly or through the Salt Producers Association, or any other agency or clearing house, price lists, invoices, and other records of sale showing the quantity, current prices and terms and conditions of sale allowed by said corporations to dealers and distributors: *Provided, however,* That nothing herein shall prevent said association from collecting and disseminating to the respective manufacturers figures showing the total volume of sales of salt without disclosing the sales volume of individual producers, for the purpose or with the effect of restraining competition in the offering for sale, or sale, of salt;

(5) Exchanging, directly or through the medium of the Salt Producers Association, or any other agency, the names of distributors or dealers who receive special discounts; for the purpose or with the effect of restraining competition in the offering for sale, or sale, of salt;

(6) Curtailing, restricting, or regulating the quantity of salt to be produced and sold by said corporations by any method or means during any given period of time for the purpose or with the effect of restraining competition in the offering for sale, or sale, of salt;

(7) Doing, or causing to be done, any of the things forbidden by this order through the medium of said Stevenson, Jordan and Harrison, Inc., Charles R. Stevenson or D. M. Metzger, or any other corporation, firm or individual.

It is further ordered, That Stevenson, Jordan and Harrison, Inc., and Charles R. Stevenson and D. M. Metzger as officers thereof, and their agents, servants, and employees, do forthwith cease and desist from doing or performing any of the things forbidden by this order, or aiding, assisting, or cooperating in the performance thereof.

It is further ordered, That nothing in this order is to be construed as prohibiting the respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are not prohibited by the provisions of an Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890 (the Sherman Act), as amended.

It is further ordered, That for the reasons appearing in the findings as to the facts the complaint herein be, and hereby is, dismissed as to the following respondents: T. M. Harrison, C. H. Ferris, N. M. Ferris, E. G. Ackerman, A. H. Dyer, R. E. Case, F. L. Sweetser, W. R. Guthrie, A. P. Nonweiler, S. M. Hudson, R. R. Bliss, L. B. Platt, and Howard Marvin. By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-13985; Filed, August 27, 1943;
11:36 a.m.]

[Docket No. 4915]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

DENTISTS' SUPPLY COMPANY OF NEW YORK

\$ 3.45 (e) *Discriminating in price—Indirect discrimination—Cumulative discounts:* § 3.45 (e) *Discriminating in price—Indirect discrimination—Discounts and allowances.* In connection with the offering for sale, sale and distribution of respondent's products, in commerce, discriminating in price under the circumstances stipulated by respondent and found by the Commission, or making use of any discrimination similar thereto, and more particularly (1) discriminating in price by giving and allowing to certain purchasers adjustments, rebates, or discounts in the form of cash or commodities while withholding same from other purchasers competitively engaged with said favored purchasers; (2) discriminating in price by giving and allowing adjustments, rebates, or discounts in the form of cash or commodities depending upon the cumulative total of purchases made during a year or other given period of time as distinguished from the amount purchased in one transaction; (3) discriminating in price by giving and allowing adjustments, rebates, or discounts in the form of cash or commodities to chain dental laboratories depending upon the total of separate purchases by the various units of such chains although separate deliveries are made to the respective units; and (4) requiring, providing, or arranging that respondent's dealers shall give and allow such discriminatory adjustments, rebates, or discounts as are forbidden under the preceding parts of this order; prohibited. (Sec. 2 (a), 49 Stat. 1526; 15 U.S.C., sec. 13 (a)) [Cease and desist order, Dentists' Supply Company of New York, Docket 4915, August 17, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of August, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and a stipulation of facts entered into between W. T. Kelley, Chief Counsel for the Commission, and Leroy Frantz, Vice President and Treasurer of the respondent, in which stipulation respondent waived hearings, the filing of briefs, oral argument, and all intervening procedure; and the Commission having

made its findings as to the facts and its conclusion that the respondent has violated the provisions of section 2 (a) of the Clayton Act, as amended by the Robinson-Patman Act, approved June 19, 1936:

It is ordered, That the respondent, Dentists' Supply Company of New York, a corporation, and its officers, directors, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of its products in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from the discrimination in price under the circumstances stipulated by it and found by the Commission, and from any discriminations similar thereto, and more particularly from such discriminations by use of the following methods:

1. Discriminating in price by giving and allowing to certain purchasers adjustments, rebates, or discounts in the form of cash or commodities while withholding same from other purchasers competitively engaged with said favored purchasers.

2. Discriminating in price by giving and allowing adjustments, rebates, or discounts in the form of cash or commodities depending upon the cumulative total of purchases made during a year or other given period of time as distinguished from the amount purchased in one transaction.

3. Discriminating in price by giving and allowing adjustments, rebates, or discounts in the form of cash or commodities to chain dental laboratories depending upon the total of separate purchases by the various units of such chains although separate deliveries are made to the respective units.

4. Requiring, providing, or arranging that respondent's dealers shall give and allow such discriminatory adjustments, rebates, or discounts as are forbidden under the preceding parts of this order.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

It is further ordered, That Count II of the complaint herein be, and it hereby is, dismissed.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-13987; Filed, August 27, 1943;
11:36 a.m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System
[No. 201]

SUPPLEMENT TO FEDERAL GOVERNMENT REQUEST FOR OCCUPATIONAL CLASSIFICATION

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940

(54 Stat. 885, 50 U. S. C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 42 Sup., entitled "Supplement to Federal Government Request for Occupational Classification," effective immediately upon the filing hereof with the Division of the Federal Register.¹

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 10, 1943.

[F. R. Doc. 43-13949; Filed, August 26, 1943;
3:05 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. I as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. I as amended May 15, 1943, 8 F.R. 9727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-339, Revocation]

POLAR WATER CO.

Polar Water Company, Pittsburgh, Pennsylvania, appealed from Suspension Order No. S-339 which was issued on June 7, 1943. In connection with the appeal new evidence was presented to the Deputy Chief Compliance Commissioner, who, on the basis of such new matter, determined that Suspension Order No. S-339 should be revoked.

In view of the foregoing: It is hereby ordered, That Suspension Order No. S-339 (§ 1010.339) issued June 7, 1943 be revoked.

Issued this 27th day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-13980; Filed, August 27, 1943;
11:01 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-410]

SOUTH SOO LUMBER CO.

South Soo Lumber Company, the Respondent, is engaged in the retail lumber business at 40th and Minnesota Streets, Sioux Falls, South Dakota. During the period from February 15, 1943 to March 8, 1943, the Respondent ordered approximately 307,000 board feet of Ponderosa Pine Lumber using a rating of AA-1 although he was entitled to use such rating for only 63,037 board feet of such lum-

ber. This unauthorized use of the rating constituted a violation of Priorities Regulation No. 3 and of Conservation Order M-208.

Respondent, from the nature of its business and from the course of its business dealings, must be deemed to have known of these regulations. Such actions constituted wilful violations of Priorities Regulation No. 3 and Conservation Order M-208, diverted critical materials to uses unauthorized by the War Production Board and hampered and impeded the war effort of the United States. In view of the foregoing: It is hereby ordered, That:

§ 1010.410 *Suspension Order No. S-410.* (a) Deliveries of softwood lumber to South Soo Lumber Company, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied, or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to South Soo Lumber Company, its successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve South Soo Lumber Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on August 27, 1943 and shall expire on November 27, 1943.

Issued this 20th day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-13981; Filed, August 27, 1943;
11:01 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-311]

LOGGING, LUMBER, AND WOOD PRODUCTS MACHINERY AND EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the production of woodworking machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.83 *General Limitation Order L-311—(a) Definitions.* For the purposes of this order:

(1) "Producer" means any person who produces, manufactures or assembles woodworking machinery.

(2) "Dealer" means any person engaged in the business of acquiring woodworking machinery for resale; it includes a wholesaler, distributor, jobber, retailer, branch warehouse or other distribution or sales outlet, whether or not owned or controlled by a producer, and any other person performing similar functions.

(3) "Woodworking machinery" means any new machinery or equipment of the kinds specified in Schedule A of this order.

(4) "Class I woodworking machinery" means any woodworking machinery which had a producer's list price on October 15, 1942, of more than \$350 for any single machine or piece of equipment.

(5) "Class II woodworking machinery" means any woodworking machinery which had a producer's list price on October 15, 1942, of \$350 or less for any single machine or piece of equipment.

(6) "Order" means any commitment or other arrangement for the delivery of woodworking machinery, whether by sale, lease, consignment or otherwise.

(7) "Producer's list price" means the sale price at which the producer's catalog or other price publication, listed the woodworking machinery, exclusive of the motor, motor drive or any attachments. However, where the motor, motor drive, or any attachments are initially built into the basic machine as an integral part of it, the "producer's list price" shall mean the sale price at which the producer listed the machine as an assembled unit.

(8) "Army, Navy, Maritime Commission, or War Shipping Administration" do not include any privately operated plant or shipyard financed by, or controlled by, any of those agencies, or operated on a cost-plus-fixed-fee basis.

(b) *Restrictions on sale or delivery of Class I woodworking machinery*—(1) *Authorization of purchase orders for Class I woodworking machinery required.* After September 11, 1943, no person shall place an order for Class I woodworking machinery with a producer or dealer, and no producer or dealer shall accept any order for Class I woodworking machinery, or deliver any Class I woodworking machinery to fill any order received after that date, unless the order has been authorized by the War Production Board on Form WPB-3131. Application for an authorization and for a preference rating must be made by the purchaser by filing Form WPB-3131 with the War Production Board as explained in the instructions which accompany the form.

(2) *Exemptions.* The restrictions contained in paragraph (b) (1) shall not apply to:

(i) Any orders for or deliveries of Class I woodworking machinery to be used directly by the Army, Navy, Maritime Commission or War Shipping Administration;

(ii) Any orders from or deliveries to a producer or dealer to enable him to fill orders authorized on Form WPB-3131

¹ Form filed as part of the original document.

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which he has actually received or to replace woodworking machinery delivered by him from his inventory to fill orders authorized on Form WPB-3131.

(iii) Any order bearing a preference rating assigned pursuant to application on Form WPB-617 (formerly PD-200).

(3) *Certification of authorization which may be used.* Any person applying or extending a preference rating on any order which any of the provisions of this paragraph (b) permit him to place may add to the certificate applying or extending the rating a statement substantially as follows: "This purchase is permitted by Order L-311 which I am familiar with." Any person receiving a certification and rating with this statement shall be entitled to rely on the representation thereof unless he knows or has reason to believe it to be false. However, the application or extension of a preference rating on any purchase order which a person is permitted under this paragraph (b) to place shall not be invalid for failure to place this statement on the order.

(c) *Preference ratings on orders for Class II woodworking machinery.* After September 11, 1943, no manufacturer or dealer shall accept any order for Class II woodworking machinery or deliver any Class II woodworking machinery to fill any order received after that date unless it bears a preference rating of AA-5 or higher.

(d) *Restrictions on dealers' inventories of Class II woodworking machinery.* No dealer shall accept delivery of any Class II woodworking machinery which will increase his inventory of that size and type of machine or equipment (irrespective of manufacturing make) beyond five in number; and no producer or dealer shall deliver or cause to be delivered to any dealer any Class II woodworking machinery which he knows or has reason to believe will increase the receiving dealer's inventory of that size and type of machine or equipment (irrespective of manufacturing make) beyond five in number.

(e) *Restrictions on production of Class II woodworking machinery.* Beginning with October 1, 1943, no producer shall fabricate or assemble during any calendar month more Class II woodworking machinery by dollar value than 50% of the quantity by dollar value shipped by him during the second and third preceding months. For example, the dollar value of production in October cannot exceed 50% of the dollar value of shipments in July and August. However, a producer may exceed this limit to the extent necessary to permit him to fill specific purchase orders rated AA-5 or higher actually received by him.

(f) *Operations reports.* Each producer shall, on or before the 10th day of each month after September 1943, file with the War Production Board an operations report on Form WPB-3130 as explained in the instructions which accompany the form.

(g) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref: L-311.

(5) *Approval of reporting requirements.* The form of application specified in paragraph (b) (1) and the reporting requirement of paragraph (f) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

I. The following machinery and equipment is included in the definition of "woodworking machinery" under paragraph (a) (3):

(1) Dry kilns and redriers, including all machinery and equipment used for the purpose of reducing the moisture content of wood or wood products.

(2) Wood treatment machinery and equipment, including all machinery and equipment used for the purpose of making wood or wood products resistant to fire, decomposition, insect and marine parasites, fungal or bacterial growth, stain or discoloration, or for the purpose of preparing wood or wood products for further processing.

(3) Logging machinery and equipment, including all machinery and equipment used for the purpose of falling, bucking, skidding, yarding or loading timber.

(4) Saw mill machinery and equipment, including all machinery and equipment used for the purpose of converting logs into rough sawn lumber.

(5) Veneer and plywood machinery and equipment, including all machinery and equipment used for the purpose of converting logs into veneer or for making plywood from veneer.

(6) Planing mill machinery and equipment, including all machinery and equipment used for sizing, planing, matching, moulding or remanufacturing lumber into commercial sizes or to special specifications, including box shooks.

(7) Wood by-product machinery and equipment, including all machinery and equipment used for the processing of wood refuse products.

(8) Wood container manufacturing machinery, including the following specialized machinery used for the manufacture of wood or veneer containers:

(a) Nailing, splicing, and screw driving machines.

(b) Fruit and vegetable package machinery.

(c) Wood printing machines.

(d) Wire stitching machines used for stitching wood or wood veneer.

(e) Slack barrel and keg machines.

(f) Tight barrel and keg machines.

(g) Stave and barrel heading machines.

(h) Box board matchers and squeezers.

(i) Wire bound box making machinery.

(j) Tub and pall machinery.

(k) Wood hamper and basket machinery.

(l) Wood dish machinery.

(m) Bottle box machinery including strapping machines.

(n) Lock and dovetail corner machines.

(9) General woodworking machinery and equipment, including all machinery and equipment used for the purpose of processing lumber or wood into finished wood products or structures, machinery used for maintenance of wood products or structures, machinery and equipment used for the cutting, sawing, shaping, gluing, embossing, stamping, compressing or otherwise processing of wood or wood products, and machinery and equipment primarily designed for wood processing, but used or adapted for use in the processing of other materials.

(10) Service machinery and equipment, including the following machinery and equipment used for the purpose of maintaining woodworking machinery and equipment in sound operating condition:

(a) Cutter head grinders, including balancing and setting devices.

(b) Knife grinders, including balancing and setting devices.

(c) Band, circular and chain saw sharpening machines.

II. The following machinery and equipment is not considered to be "woodworking machinery" for the purposes of this order:

(1) Track-laying tractors and auxiliary equipment as defined in Limitation Order L-53; (2) Construction machinery and equipment as defined in Limitation Order L-192; (3) Farm wood sawing and splitting machines (for fuel wood), 5 horse power and less, including self-powered cross cut and drag saws, saw mandrels, and wood splitting machines; (4) Spray guns, spray booths and other machinery and equipment used for painting, varnishing or lacquering; (5) Floor finishing, floor sanding and floor maintenance machines as defined in Limitation Order L-222; (6) Portable power driven woodworking tools (except timber falling or bucking saws) which, in the course of normal use, are lifted, held and operated by not more than two persons; (7) Waste disposal and conveyor machinery and equipment other than that which is built into woodworking machinery as an integral part of it; (8) Hand tools; (9) Light power driven tools as defined in Limitation Order L-237, and (10) Component parts such as electric motors, electric switches, and compressors, when manufactured or sold as such and not as integral parts of woodworking machinery.

[F. R. Doc. 43-13979; Filed, August 27, 1943;
11:01 a. m.]

Chapter XI—Office of Price Administration

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[RPS 7.¹ Amdt. 12]

COMBED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

¹ 7 F.R. 1221, 2000, 2132, 2277, 2393, 2509, 2737, 3160, 3551, 3664, 5481, 8948, 9732, 10469, 8 F.R. 972, 5755, 9285.

has been filed with the Division of the Federal Register.*

Section 1307.12 (d) (3) is amended by adding after the first paragraph of the section the following paragraph and footnote thereto:

For the purposes of this regulation a person is acting as an agent of a war procurement agency to purchase yarns at the maximum prices appearing in Column B only if his authority is conferred by or derived from an agency designation issued by a war procurement agency especially for such purpose.^{**}

^{**} War procurement agencies are using specially devised procedures for designation of purchasers as their agents for the purpose of this section. In the absence of any such specific designation a seller is not permitted to charge and a buyer is not permitted to pay the maximum prices appearing in Column B of this section. The mere fact that a purchaser has a contract covering goods to be furnished to a war procurement agency and/or a contract carrying a preference rating does not constitute him an agent (as the term is used herein) of a war procurement agency.

This amendment shall become effective the 1st day of September 1943.

(Public Laws 421 and 729, 77th Cong.; Public Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 8328, 8 F.R. 4681)

Issued this 26th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-13951; Filed, August 26, 1943;
3:54 p. m.]

PART 1340—FUEL

[RPS 88;¹ Amdt. 123]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 has been amended in the following respects:

1. Section 1340.159 (b) (11) (ii), (iv) and (v) are renumbered to be (iv), (vi) and (vii) respectively. Subparagraph numbered (iii) which begins with the words "For the purpose of" is renumbered as (v).

2. Section 1340.159 (b) (11) (i) is renumbered as (iii) and amended to read as follows:

(iii) Unless otherwise provided in this Paragraph (11) and notwithstanding any other provisions of § 1340.159 (b) a seller's maximum tank wagon price, in states other than those named in paragraph (i) above, for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oils, and tractor and Diesel fuel shall be the maximum price as determined under other provisions of this schedule of the reference tank wagon seller named hereunder for the same grade at the same point provided the

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 3718.

reference tank wagon seller's maximum price is higher than the maximum price which would otherwise be applicable.

3. Section 1340.159 (b) (11) (i) and (ii) are added to read as follows:

(i) Notwithstanding any other provisions of § 1340.159 (b) a seller's maximum tank wagon price for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oil, Diesel fuel, or tractor fuel, at a particular point in any of the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, or Wisconsin shall be either the hereinunder named reference tank wagon seller's normal price, as posted on October 1, 1941, for the same grade of the particular product at the same point or the sum of said reference seller's maximum tank wagon price for such product at the same point as established under other provisions of this schedule and .7¢ per gallon, whichever is the lower, except that in the case of tractor fuel if a tank wagon seller's maximum price as determined under other provisions of this schedule is higher than such maximum price shall remain in effect.

If the reference seller has no established maximum price at a particular point for a particular grade of any of the products named above, then a tank wagon seller's maximum price shall be his maximum price as determined by other provisions of this price schedule.

Any tank wagon seller whose maximum price to a retail dealer is increased pursuant to this paragraph (11) shall give notice to such retail dealer in accordance with § 1340.163 (c) of this schedule.

(ii) *Supplier's maximum prices.* In computing the supplier's maximum price for kerosene and fuel oil, the tank wagon price used in any computation under (a) and (b) hereunder shall be regarded as .3 of a cent less than the actual maximum price. A supplier's maximum price at a particular shipping point shall be his maximum price determined by other provisions of this Price Schedule. A supplier's maximum price, for a particular grade of one of the products named at a particular delivery point, to a tank wagon seller whose maximum price at such point is increased under the terms of sub-paragraph (i) shall be determined as follows:

(a) If there was a contract in effect on October 1, 1941, between the supplier and such tank wagon seller, and such contract provided for varying the price of the supplier to such tank wagon seller on the basis of the tank wagon price at the particular delivery point and if such tank wagon seller's maximum price is increased but not to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum delivered price shall be increased only when the tank wagon seller's margin would be in excess of that called for in the contract had the tank wagon seller's price been increased to normal and the extent of such increase in the supplier's maximum price shall be the amount of such excess.

(b) If there was a contract in effect on October 1, 1941, as described in (a) above, and if such tank wagon seller's maximum price is increased at any point to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum price shall be altered in accordance with the provisions of such contract.

(c) If a contract as described in (a) above was not in effect on October 1, 1941, then the supplier's maximum price shall be determined by other provisions of this schedule.

Illustrations. *The .3¢ per gallon increase permitted under Amendment No. 53 is excluded from these illustrations as it should be from similar computations.

Cents per gal.
A. Reference Seller's Normal Posted Price as of October 1, 1941----- 9.0
Reference Seller's *Present maximum price----- 8.5
Amount below normal----- 0.5

Results:

1. Present ceiling is increased to normal because the amount below normal is less than .7¢ per gallon and the new ceiling is **9.0¢ per gallon.
2. Supplier's maximum price to the tank wagon seller may be changed in accordance with the provisions of Subdivision (b) above.

B. Reference Seller's Normal Posted Price as of October 1, 1941----- 9.5
Reference Seller's *Present maximum price----- 8.5
Amount below normal----- 1.0

Results:

1. Present ceiling is not increased to normal because the amount below normal is more than .7¢ per gallon but the entire .7¢ per gallon is added to the present ceiling and the new ceiling is **9.2¢ per gallon.
2. Supplier's maximum price to the tank wagon seller may be changed in accordance with subdivision (a) above.

**Plus the .3¢ per gallon increase authorized under Amendment No. 53.

This amendment shall become effective September 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-13952; Filed, August 26, 1943;
3:53 p. m.]

PART 1438—NONMETALLIC MINERALS

[MPR 347;¹ Amdt. 3]

MICA

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2a is added to read as follows:

Sec. 2a. Maximum prices for sales or deliveries of pipe line enamel mica to

¹ 8 F.R. 3530, 6181, 8275.

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the Barrett Division of the Allied Chemical and Dye Corporation. (a) Any person may sell or deliver to the Barrett Division of the Allied Chemical and Dye Corporation, Chicago, Illinois, and Fairfield, Alabama, pipe line enamel mica meeting the following specifications:

Screen Test:	
Through 35 mesh.....	99.8% minimum.
Through 60 mesh.....	90% minimum.
Through 100 mesh.....	60% minimum.
Loss on ignition.....	6% maximum.
Moisture.....	.20% maximum.
Must be free of carbonates.	

at a delivered price not in excess of \$30.00 per ton plus (1) railroad freight on the shipment from the seller's shipping point to the consumer's plant, or (2) railroad freight on such shipment from Spruce Pine, North Carolina to the consumer's plant, whichever is higher.

(b) The maximum price f. o. b. the seller's shipping point shall be his maximum delivered price as calculated under paragraph (a) minus freight from the seller's shipping point to the consumer's plant.

This amendment shall become effective September 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-13953; Filed, August 26, 1943;
3:53 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 8-1, Amdt. 2]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN CALIFORNIA, OREGON, WASHINGTON AND NORTHERN IDAHO

For the reasons set forth in the statement of considerations issued simultaneously herewith, Restaurant Maximum Price Regulation No. 8-1 is hereby amended in the following respects:

A new section is added following section 16, to read as follows:

SEC. 17. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operations.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation; and

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much as or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the

requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your OPA District Office a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period, and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement, or, if none is available, a statement showing earnings and expenses, for your restaurant business for the most recent 3 month accounting period.

(7) A profit and loss statement, or, if none is available, a statement showing earnings and expenses, for your restaurant business for your most recent full calendar year or fiscal year. If your last income tax return was filed separately for your restaurant business, you may, if you prefer, file a copy of your income tax return in place of the profit and loss statement.

Applications for adjustment under this section may be acted upon by any district office that has been authorized to do so by order of the Regional Administrator.

This amendment shall become effective August 15, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-13954; Filed, August 26, 1943;
3:53 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 8-1, Correction]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN CALIFORNIA, OREGON, WASHINGTON AND NORTHERN IDAHO

The last sentence of paragraph (b) in section 7, of Restaurant Maximum Price Regulation 8-1, is hereby corrected to read as follows: "You are subject to the record requirements of section 9 and the posting requirements of section 10 immediately upon the opening of your place."

This correction shall be effective as of May 10, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1943.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-13955; Filed, August 26, 1943;
3:51 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 74 Under SR 15 to GMPR, Amdt. 1]

COLUMBIA TRANSFER CO.

Amendment No. 1 to Order No. 74 under § 1499.75 (a) (3) of Supplementary Regulation No. 15; Docket No. GF3-3343.

For the reasons set forth in an opinion issued simultaneously herewith, Order No. 74 is amended in the following respect. Paragraph (a) of § 1499.1374 is amended to read as follows:

(a) Columbia Transfer Company, a corporation, 713 West Pennway, Kansas City, Missouri, may charge and collect from Missouri Pacific Railroad Company, or any subsidiary or affiliated company, for contract carrier services performed in the States of Louisiana, Arkansas, and Mississippi on and after April 1, 1943, rates and charges not in excess of the following maximum prices:

For line haul service, 17½¢ per truck mile.
For pick-up and delivery service, 7¢ per 100 pounds.

This amendment shall become effective August 26, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-13958; Filed, August 26, 1943;
3:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 27 Under § 1499.18 (c), as Amended, of GMPR]

J. C. WINTER AND CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.1527 Denial of application of J. C. Winter & Co., Inc., Red Lion, Pennsylvania, for adjustment of maximum price for "Happy Jim" scrap chewing tobacco. (a) The application of J. C. Winter & Co., Inc., filed February 13, 1943, for adjustment of its maximum price for "Happy Jim" scrap chewing tobacco is hereby denied.

This Order No. 27 shall become effective August 26, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-13959; Filed, August 26, 1943;
3:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 30 Under § 1499.29 of GMPR, Amdt. 1]

ATLANTIC PINE INDUSTRIES CORP.

For the reasons set forth in an opinion issued simultaneously herewith, § 1499.430 (a) (1) is amended by deleting from the list of named persons the name "Atlanta Pine Products, Kissimm-

mee, Florida" and substituting therefor the name "Atlantic Pine Industries Corporation, Kissimmee, Florida."

This amendment shall be effective as of June 30, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of August 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-13956; Filed, August 26, 1943;
3:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 94 Under SR 15 to GMPR]

JOHN RUDGE

Order No. 94 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-3188.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1394 Adjustment of maximum prices for contract carrier services furnished by John Rudge. (a) John Rudge of Youngstown, Ohio, may sell and deliver contract carrier services to Ward Baking Company of Youngstown, Ohio in connection with the daily transportation of bread to and between Youngstown, Ohio and Franklin, Penna. at rates not to exceed \$115 per week.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 94 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 94 (§ 1499.1394) shall become effective August 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.)

Issued this 26th day of August 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-13961; Filed, August 26, 1943;
3:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 21]

COTTON STORAGE IN TEXAS AND OKLAHOMA

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (6) is added to section 8.2 (b) of Revised Supplementary Regulation No. 14 to read as follows:

(6) *Storage of Cotton in Texas and Oklahoma.* (1) On and after July 26, 1943, cotton warehousemen in the States of Texas and Oklahoma who comply with the requirements of subdivision (ii) of this subparagraph may charge, for the services of storing, receiving, handling and compressing cotton and for

miscellaneous services in connection with the warehousing of cotton, their maximum prices established by § 1499.2 of the General Maximum Price Regulation and Amendments 14 and 40 to Supplementary Regulation No. 14, plus a surcharge in the amount of 20%.

(ii) Warehousemen affected by the provisions of this amendment shall, within 30 days after the date of this amendment, file with the Transportation and Warehouse Section of the Regional Office of the Office of Price Administration, Fidelity Building, Dallas 2, Texas, copies of their tariffs or rate schedules in effect during the season of 1942-1943.

This amendment shall become effective August 26, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of August 1943,

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-13960; Filed, August 26, 1943;
3:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Amdt. 9]

WAGE INCREASES APPROVED BEFORE APRIL 8, 1943; REVOCATION

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.75 (a) (7) is revoked. This amendment shall become effective September 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-13957; Filed, August 26, 1943;
3:53 p. m.]

Chapter XIX—Defense Supplies Corporation

PART 7001—PETROLEUM COMPENSATORY ADJUSTMENTS¹

REVISION OF SCHEDULES

AUGUST 14, 1943.

The following are Revised Schedule B, Value of Compensable Products at the Normal Origin, and Revised Schedule C, Revenue Price Increases, issued by Defense Supplies Corporation in connection with Regulation No. 1.

Schedule B has been revised to provide that the value at the Normal Origin applicable to kerosene, range oil and stove oil and No. 1 fuel oil, regardless of the gravity thereof, shall be 3.875¢ per gallon for the period from January 1 through March 16, 1943, and 4.125¢ per gallon for the period subsequent to March 16, 1943.

The original Schedule C was issued on May 19, 1943. Shortly thereafter it was determined that revision of the Schedule would be necessary. Therefore, the original Schedule was not published in the FEDERAL REGISTER.

¹ 8 F.R. 6101, 10812.

REVISED SCHEDULE B—VALUE OF COMPENSABLE PRODUCTS AT THE NORMAL ORIGIN

Product	Value per gallon			
	Period from 8-1-42 through 12-31-42	Period from 1-1-43 through 3-2-43	Period from 3-3-43 through 3-16-43	Subsequent to 3-16-43
Gasoline:				
Aviation:				
80 Octane A. S. T. M. Leaded	7.00	7.00	7.00	7.00
73 Octane A. S. T. M. Leaded	6.75	6.75	6.75	6.75
65 Octane A. S. T. M. Leaded	6.50	6.50	6.50	6.50
Motor:				
78-80 Octane A. S. T. M. Leaded	6.75	6.75	6.75	6.75
79-80 Octane A. S. T. M. Leaded	6.75	6.75	6.75	6.75
80 Octane (1939 Research) Leaded	6.00	6.00	6.00	6.00
72-74 Octane A. S. T. M. Leaded	5.75	5.75	5.75	5.75
72-74 Octane A. S. T. M. Unleaded	5.75	5.75	5.75	5.75
70-72 Octane A. S. T. M. Leaded	5.75	5.75	5.75	5.75
68-70 Octane A. S. T. M. Leaded	5.50	5.50	5.50	5.50
68-70 Octane A. S. T. M. Unleaded	5.75	5.75	5.50	5.50
65-67 Octane A. S. T. M. Unleaded	5.25	5.25	5.25	5.25
60-64 Octane A. S. T. M. Unleaded	5.00	5.00	5.00	5.00
Tractor fuel:				
56-62 Octane	4.75	4.75	4.75	4.75
42-45 Octane	4.50	4.50	4.50	4.50
35 Octane	4.25	4.25	4.25	4.25
Kerosene:				
41-43 Gravity—Water White	3.875	3.875	3.875	4.125
42-44 Gravity	4.00	3.875	3.875	4.125
42-45 Gravity	4.00	3.875	3.875	4.125
43-45 Gravity	4.00	3.875	3.875	4.125
44-46 Gravity	4.125	3.875	3.875	4.125
45 Gravity	4.125	3.875	3.875	4.125
46-48 Gravity	4.50	3.875	3.875	4.125
47-49 Gravity	4.50	3.875	3.875	4.125
Range oil and stove oil:				
41-43 Gravity	3.875	3.875	3.875	4.125
42-44 Gravity	4.00	3.875	3.875	4.125
Distillate fuel oils:				
No. 1	3.875	3.875	3.875	4.125
No. 2	3.75	3.75	3.75	3.75
No. 3	3.75	3.75	3.75	3.75
No. 4	3.75	3.75	3.75	3.75

*Copies may be obtained from the Office of Price Administration.

FEDERAL REGISTER, Saturday, August 28, 1943

REVISED SCHEDULE B—VALUE OF COMPENSABLE PRODUCTS AT THE NORMAL ORIGIN—Continued

Product	Period			Value per gallon	Period from 3-3-43 through 3-16-43	Subsequent to 3-16-43	Period	Product description
	Period from 8-1-42 through 12-31-42	Period from 1-1-43 through 3-2-43	Period from 3-3-43 through 3-16-43					
Gas oils:								
52 Diesel Index and below-----	Cents 4.125 4.25 4.375	Cents 4.125 4.25 4.375	Cents 4.00 4.125 4.25		8-1-42 through 8-4-42 8-5-42 through 1-8-43 1-9-43* through 3-2-43-----			4. Distillate Diesel fuel oils sold through refineries and terminals located at certain named ports.
53-57 Diesel Index-----								
58 Diesel Index and above-----								
Residual fuel oils:								
No. 5-----	\$1.05 1.05 .85 .85	\$1.05 1.05 .85 .85	\$1.05 1.05 .85 .85	\$1.05 1.05 .85 .85				
Navy Special-----								
No. 6-----								
Bunker "C"-----								
12.9 gravity and below-----								
13.0-15.9 Gravity-----								
16.0-19.9 Gravity-----								
20.0-24.9 Gravity-----								
24.9 Gravity and over-----								

REVISED SCHEDULE C—REVENUE PRICE INCREASES

Outlined herein are the amounts and effective dates of Revenues from price increases on petroleum products in District One authorized by the Office of Price Administration in connection with extra transportation costs involved in the use of Substitute Methods of Transportation.

Amounts in this schedule represent the full amounts of authorized Revenue Price Increases and shall be accounted for by sellers or consumers of these products in District One, excepting the tables on pages 5 through 8 where the amounts of Revenues to be accounted for are clearly distinguished from the full amounts of the authorized Revenue Price Increases.

Amount of revenue to be credited to the "Plan," or D. S. C.

Period	Product description	Florida* and Georgia	All other
	A. GASOLINE	Cents per gallon 3.4 3.4	Cents per gallon 3.7 3.7

*At portion of Florida east of the Apalachicola River.

Period	Product description	Amount of revenue to be credited to the "Plan," or D. S. C.
8-1-42 through 8-4-42-----	1. All gasoline except aviation gasoline of 91 octane or higher.	1. All gasoline except aviation gasoline of 91 octane or higher.
8-5-42 through 1-3-43-----	2. All gasoline except aviation gasoline of 91 octane or higher.	2. All gasoline except aviation gasoline of 91 octane or higher.
1-4-43 until revised-----	3. All gasoline except aviation gasoline of 87 octane or higher.	3. All gasoline except aviation gasoline of 87 octane or higher.

Amount of revenue to be credited to the "Plan" or D. S. C.

Period	Product description	Amount of revenue to be credited to the "Plan" or D. S. C.
B. DISTILLATE FUEL OILS		
8-1-42 through 8-4-42-----	1. Tractor fuels, gas house oils, distillate Diesel fuel oils, Nos. 2, 3 and 4 fuel oils.	2.6¢ per gallon.
8-5-42 through 1-8-43-----	2. Tractor fuels, gas house oils, distillate Diesel fuel oils, Nos. 1, 2, 3 and 4 fuel oils, kerosene and range oil.	2.4¢ per gallon. 1.5¢ per gallon.
1-8-43 until revised-----	3. All distillate and distillate type fuel oils having a viscosity below 85 seconds Saybolt Universal (at 100° F.) including but not limited to the following: tractor fuels, gas house oils, distillate Diesel fuel oils, Nos. 1, 2, 3 and 4 fuel oils, kerosene, range oil, standard light gas oil and Mirando and Mirandotype crude oil when sold as No. 4 fuel oil or other distillate fuel oil.	1.5¢ per gallon.

Amount of revenue to be credited to the "Plan" or D. S. C.

Period	Product description	Amount of revenue to be credited to the "Plan" or D. S. C.
B. DISTILLATE FUEL OILS—Continued		
8-1-42 through 8-4-42-----	1. Residual fuel oils comprising No. 5 and No. 6 fuel oils, Bunker "C," Navy grade and residual Diesel fuel oils.	\$0.45 per barrel.
8-5-42 through 1-8-43-----	2. Residual fuel oils comprising No. 5 and No. 6 fuel oils, Bunker "C," Navy grade and residual Diesel fuel oils.	\$0.30 per barrel.
1-8-43 until revised-----	3. Residual and residual type fuel oils having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above, including but not limited to the following: No. 5 and No. 6 fuel oil, Bunker "C," Navy grade, residual Diesel fuel oils, residual gas oils, heavy gas oils, heavy gas enrichment oil, S. W. gas oil, Admiralty fuel oil, N. E. gas enrichment oil, S. W. gas oil, Admiralty fuel oil, Navy special fuel oil, Mirando type crude oil when sold as No. 5 fuel oil or other residual fuel oil or as a heavy gas enrichment oil.	\$0.30 per barrel.

Amount of revenue to be credited to the "Plan" or D. S. C.

Period	Product description	Amount of revenue to be credited to the "Plan" or D. S. C.
D. PRODUCTS PURCHASED FROM THE NAVY		
1. Where the Navy Department releases from Navy storage a sufficient quantity of gasoline, distillate fuel oil (including kerosene, range oil, etc.), or residual fuel oil to enable a supplier to make emergency deliveries of such products in District One, the following formula for calculating Revenues shall apply:		
The sum of:		
(1) The Navy's invoice price plus (2) the cost to the supplier of transporting the product to a destination outside the area normally served from the point of purchase from the Navy, plus (3). 10¢ per barrel.		
Deducted from:		
The supplier's applicable Ceiling Price of the product at the destination where delivery is made.		
Will result in:		
The amount of Revenue to be reported on sales of products purchased from the Navy, in no event, however, should the amount of Revenue to be reported exceed the applicable Revenue Price Increases, as defined in section 1 (q) of Revised Regulation No. 1.		
If the supplier's applicable Ceiling Price will not permit him to realize all or part of the margin of 10¢ per barrel, the supplier may not deduct such unrealized margin from other Revenues for which he must account.		
Tanker freight charges should not be included in the computation of the supplier's applicable Ceiling Prices in cases where products are purchased from the Navy at prices which do not include tanker freight charges and are delivered by the supplier, at prices which do not include tanker freight charges, to vessels operated for the account of the War Shipping Administration.		

*If Revenue was collected by sellers prior to January 9, 1943, on products not listed under C-1 above, such Revenue should be reported. If sellers did not collect Revenue prior to January 9, 1943, on products not listed under C-1 above, they will not be required to account for such Revenue.

TABLE NO. 1.—DISTILLATE DIESEL FUEL OILS
TABLE OF REVENUE TO BE ACCOUNTED FOR ON SALES OF DISTILLATE DIESEL FUEL OILS THROUGH REFINERIES AND TERMINALS LOCATED AT CERTAIN PORTS
[See item B-4 on page 2 of this Schedule]

Ports	Authorized price increase (per barrel)	Amount of revenue to be retained by participants or applicants	Amount of revenue to be credited to the "Plan" or D. S. C.
Portland, Maine	\$0.63	\$0.07	\$0.56
Portsmouth, New Hampshire	.63	.07	.56
Boston, Massachusetts	.63	.145	.485
Beverly, Massachusetts	.63	.145	.485
Chelsea, Massachusetts	.63	.145	.485
Quincy, Massachusetts	.63	.145	.485
West Cambridge, Massachusetts	.63	.145	.485
Fall River, Massachusetts	.63	.12	.51
Tiverton, Rhode Island	.63	.12	.51
Providence, Rhode Island	.63	.12	.51
Kettle Point, Rhode Island	.63	.12	.51
New Haven, Connecticut	.63	.12	.51
Albany, New York	.63	.....	.63
Rensselaer, New York	.63	.....	.63
New York, New York	.63	.10	.53
Bayonne, New Jersey	.63	.10	.53
Carteret, New Jersey	.63	.10	.53
Harrison, New Jersey	.63	.10	.53
Linden, New Jersey	.63	.10	.53
Newark, New Jersey	.63	.10	.53
Perth Amboy, New Jersey	.63	.10	.53
Seavaren, New Jersey	.63	.10	.53
Tremley Point, New Jersey	.63	.10	.53
Warren, New Jersey	.63	.10	.53
Philadelphia, Pennsylvania	.63	.10	.53
Paulsboro, New Jersey	.63	.10	.53
North Clarendon, Delaware	.63	.10	.53
Wilmington, Delaware	.63	.10	.53
Marcus Hook, Pennsylvania	.63	.10	.53
Baltimore, Maryland	.63	.10	.53
Centerville, Maryland	.63	.10	.53
Curtis Bay, Maryland	.63	.10	.53
Sparrows Point, Maryland	.63	.08	.55
Norfolk, Virginia	.63	.....	.595
Wilmington, North Carolina	.63	.035	.....
Charleston, South Carolina	.63	.015	.615
Savannah, Georgia	.63	.17	.46
Brunswick, Georgia	.63	.17	.46
Port Wentworth, Georgia	.63	.17	.46
Jacksonville, Florida	.63	.155	.475
Miami, Florida	.63	.....	.63
Tampa, Florida	.63	.06	.57

TABLE NO. 2.—RESIDUAL FUEL OILS
TABLE OF REVENUE TO BE ACCOUNTED FOR ON SALES OF RESIDUAL FUEL OILS THROUGH REFINERIES AND TERMINALS LOCATED AT CERTAIN PORTS

[See Items C-5, C-6 and C-7 on Page 3 of this Schedule]

Ports	Authorized price increase (per barrel)	Amount of revenue to be retained by participants or applicants	Amount of revenue to be credited to the "Plan" or D. S. C.
Portland, Maine	\$0.63	\$0.07	\$0.56
Portsmouth, New Hampshire	.63	.07	.56
Boston, Massachusetts	.63	.145	.485
Beverly, Massachusetts	.63	.145	.485
Chelsea, Massachusetts	.63	.145	.485
Quincy, Massachusetts	.63	.145	.485
West Cambridge, Massachusetts	.63	.145	.485
Fall River, Massachusetts	.63	.12	.51
Tiverton, Rhode Island	.63	.12	.51
Providence, Rhode Island	.63	.12	.51
Kettle Point, Rhode Island	.63	.12	.51
New Haven, Connecticut	.63	.12	.51
Albany, New York	.63	.....	.63
Rensselaer, New York	.63	.....	.63
New York, New York	.63	.10	.53
Bayonne, New Jersey	.63	.10	.53
Carteret, New Jersey	.63	.10	.53
Harrison, New Jersey	.63	.10	.53
Linden, New Jersey	.63	.10	.53
Newark, New Jersey	.63	.10	.53
Perth Amboy, New Jersey	.63	.10	.53
Seavaren, New Jersey	.63	.10	.53
Tremley Point, New Jersey	.63	.10	.53
Warren, New Jersey	.63	.10	.53
Philadelphia, Pennsylvania	.63	.10	.53
Paulsboro, New Jersey	.63	.10	.53
North Clarendon, Delaware	.63	.10	.53
Wilmington, Delaware	.63	.10	.53
Marcus Hook, Pennsylvania	.63	.10	.53
Baltimore, Maryland	.63	.10	.53
Centerville, Maryland	.63	.10	.53
Curtis Bay, Maryland	.63	.10	.53
Sparrows Point, Maryland	.63	.08	.55
Norfolk, Virginia	.63	.....	.595
Wilmington, North Carolina	.63	.035	.....
Charleston, South Carolina	.63	.015	.615
Savannah, Georgia	.63	.17	.46
Brunswick, Georgia	.63	.17	.46
Port Wentworth, Georgia	.63	.17	.46
Jacksonville, Florida	.63	.155	.475
Miami, Florida	.63	.....	.63
Tampa, Florida	.63	.06	.57

FEDERAL REGISTER, Saturday, August 28, 1943

11875

GEORGE H. HILL, Jr.
Executive Vice President and General Counsel.

[F. R. Doc. 43-13920; Filed, August 26, 1943; 10:48 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 5—REGULATIONS, UNITED STATES COAST GUARD AUXILIARY

ORGANIZATION AND ADMINISTRATION

The Regulations, United States Coast Guard Auxiliary (6 F.R. 1356), as amended, are hereby further amended as follows:

Section 5.2 (a) is amended to read as follows:

§ 5.2 Organization and administration.—(a) **Organization.** The Auxiliary, a voluntary organization of citizens, who are owners of motorboats or yachts, shall be organized for the purpose of,

(1) Furthering interest in safety of life at sea and upon navigable waters,
(2) Promoting efficiency in the operation of motorboats and yachts.

(3) Fostering a wider knowledge of, and better compliance with, the laws, rules and regulations governing the operation of motorboats and yachts, and

(4) Facilitating operations of the Coast Guard.

Members shall be grouped into Flotillas each of which shall be designated by a number. Flotillas shall in turn be grouped into Divisions designated by appropriate geographical names. Divisions shall be subdivisions of Districts of the Auxiliary, which Districts shall coincide with and bear the same name as those of the Coast Guard with the exception that the Commandant may group Flotillas or Divisions under commands separate from Coast Guard District organizations when such a separation shall be deemed advisable to facilitate operations of the Coast Guard.

Paragraph (b) of § 5.2 is deleted and paragraphs (c), (d), and (e) of § 5.2 are relettered as paragraphs (b), (c), and (d) respectively.

L. T. CHALKER,
*Rear Admiral, U. S. Coast Guard,
Acting Commandant.*

Approved: August 25, 1943.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 43-13972; Filed, August 27, 1943;
10:23 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

WAR DEPARTMENT VESSELS

WAIVER OF NAVIGATION AND INSPECTION LAWS

The Secretary of War having requested, pursuant to section 501 of the Second War Powers Act, 1942, 56 Stat. 180 (50 U.S.C., App., Sup. II, 635), that the Secretary of the Navy waive compliance with the navigation and vessel inspection laws

administered by the Coast Guard to the following extent:

Whenever, with respect to any vessel owned, chartered, operated by, or carrying cargo or personnel for the War Department, an application under the procedure set forth in "Waiver of Navigation and Vessel Inspection Laws," 8 F.R. 9164, results in a denial to effectuate the waiver made in the order of the Acting Secretary of the Navy, dated October 1, 1942, 7 F.R. 7979, the navigation and inspection laws which were the subject of such application shall nevertheless be waived if the Commanding Officer of the port of embarkation or his duly authorized representative finds that military urgency outweighs the marine hazard involved and so states in writing to the District Coast Guard Officer or to his designated representative (or, in case of a vessel in a foreign port at which the Coast Guard has established facilities, to the designated representative of the Commandant) to whom the original application was made.

And the Secretary of War having stated in such request that he deems such action necessary in the conduct of the war;

Now, therefore, pursuant to the direction in section 501 of the Second War Powers Act, 1942, I hereby waive compliance with the navigation and vessel inspection laws to the extent so requested by the Secretary of War.

FRANK KNOX,
Secretary of the Navy.

AUGUST 25, 1943.

[F. R. Doc. 43-13950; Filed, August 26, 1943;
3:22 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—RULES OF PRACTICE AND PROCEDURE

FINANCIAL STATEMENTS

The Commission on August 24, 1943, effective immediately, amended § 1.361 as follows:

§ 1.361 Financial statements. Each licensee of a standard broadcast station shall file with the Commission on or before March 1 of each year on such forms as may be prescribed by the Commission, a balance sheet showing the financial condition of the licensee as of December 31 of the preceding year and an income statement for the preceding calendar year. Each such form shall be subscribed as provided in § 1.121.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-13975; Filed, August 27, 1943;
9:45 a. m.]

¹ See also § 43.1 of the Rules and Regulations which requires the filing by licensees and permittees of all classes of broadcast stations of reports as to ownership, operation, interests therein, contracts, etc.

PART 2—GENERAL RULES AND REGULATIONS

DISCONTINUANCE OF RADIO STATION OPERATION

The Commission, on August 24, 1943, effective immediately, adopted a new section as follows:

§ 2.66 Discontinuance of operation. Unless otherwise required by the rules governing the particular service in which a radio station operates, the licensee of each fixed or land radio station, except stations operating in Alaska, shall notify the inspector in charge of the district where such station is located of any of the following changes in the status of such station at least two days before such change:

(a) Temporary discontinuance of operation for a period of ten days or more;

(b) The date of resumption of operation after temporary discontinuance of operation for a period of ten days or more;

(c) Permanent discontinuance of operation. *Provided, however,* where any such discontinuance of operation is not voluntary and results from causes beyond the control of the licensee notice thereof shall be given not later than two days after such discontinuance of operation.

In all cases of permanent discontinuance of operation the licensee shall, in addition to notifying the inspector of intention to discontinue operation, immediately forward the station license to the Washington, D. C. office of the Commission for cancellation.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-13976; Filed, August 27, 1943;
9:45 a. m.]

PART 4—RULES GOVERNING BROADCAST SERVICES OTHER THAN STANDARD BROAD- CAST

SUBSTITUTION OF LETTER CALLS FOR LETTER- NUMERAL CALLS

The Commission on August 24, 1943, adopted a plan to substitute letter calls for high frequency (FM) broadcast stations in place of the letter-numeral calls now being used by such stations. This change is based upon the past experience of FM broadcasters in the use of letter-numeral calls and the desirability of making the change at this time. Approximately 45 high frequency (FM) broadcast stations now in operation and all future licensees of such stations are affected.

The Commission's plan provides that four-letter calls be used for FM stations, except in cases where the licensee of an FM station is also the licensee of a standard broadcast station and both stations are located in the same city, the call letters of the standard broadcast station followed by the suffix "FM" may be requested for the FM station. No new three-letter calls will be assigned to FM stations.

In order that the change in station calls may be carried out in an orderly manner all FM stations are required to begin using the new calls on November 1, 1943 and in all cases where a request for call letters has not been received by the Commission on or before October 1, 1943, four-letter calls will be assigned at the discretion of the Commission.

FM licensees may request several of the four-letter station calls available in the order preferred, and in cases where the same letters are requested by two FM licensees, the request first received by the Commission will have prior consideration. Presently unassigned four-letter call lists are not available for mailing, but such lists may be inspected at the offices of the Commission in Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-13977; Filed, August 27, 1943;
9:45 a. m.]

PART 6—RULES GOVERNING FIXED PUBLIC
RADIO SERVICES

RADIOTELEGRAPH AND RADIOTELEPHONE
STATIONS

The Commission on August 24, 1943, effective immediately, amended §§ 6.9 and 6.10 to read as follows:

§ 6.9 Radiotelegraph. The term "radiotelegraph" as hereinafter used shall be construed to include A-0, A-1, A-2 and A-4 emission.

§ 6.10 Radiotelephone. The term "radiotelephone" as hereinafter used shall be construed to include type A-3 emission only.

The Commission also adopted the following new sections:

§ 6.11 Use of A-3 emission by radiotelegraph stations. The licensee of a point-to-point radiotelegraph station may be authorized to use type A-3 emission for the purpose of transmitting addressed program material as set forth in § 6.51 and for the purpose of controlling the transmission and reception of facsimile material.

§ 6.12 Use of A-0, A-1 or A-2 emission by radiotelephone stations. The licensee of a point-to-point radiotelephone station may be authorized to use type A-0, A-1 or A-2 emission for test purposes or for the exchange of service messages.

(Sec. 4 (1), 48 Stat. 1068; 47 U.S.C. 154 (1))

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-13978; Filed, August 27, 1943;
9:45 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

MEAT, POULTRY AND DAIRY PRODUCTS
INDUSTRY

MINIMUM WAGE RECOMMENDATION

Notice of opportunity to submit written briefs in the matter of the recommendation of Industry Committee No. 61 for minimum wages in the Meat, Poultry, and Dairy Products Industry.

Whereas, a hearing has been held on August 24, 1943, before Donald M. Murtha, Chief, Wage-Hour Section, Office of the Solicitor, United States Department of Labor, at which all persons interested in the report and recommendation of Industry Committee No. 61 concerning minimum wage rates for the Meat, Poultry, and Dairy Products Industry were given opportunity to be heard and to offer evidence, and

Whereas, the complete record of said hearing has been transmitted to the Administrator,

Now, therefore, notice is hereby given that the Administrator will receive written briefs (not fewer than twelve copies) on or before September 14, 1943, at the Office of the Administrator, Wage and Hour Division, United States Department of Labor, 65 West 46th Street, New York, New York, from any person who appeared at said hearing.

Signed at New York, New York, this 26th day of August 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-13973; Filed, August 27, 1943;
10:34 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5849]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF APPLICATION

AUGUST 25, 1943.

Notice is hereby given that on August 19, 1943, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by California Electric Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Arizona, California and Nevada, with its principal business office at Riverside, California, seeking an order authorizing the sale and transfer of (a) all of its electrical transmission and distribution facilities devoted to and used in its electric operations in the County of Imperial, California and in that part of the County of Riverside,

California, described in the application as "District Coachella Area" consisting of approximately fifty-four townships in said County of Riverside and including the area to be served with water from the Coachella branch of the All-American Canal, excepting, however, its Palo Verde Valley transmission line extending from Calipatria in the County of Imperial to Blythe in the County of Riverside, (b) two short sections of electric transmission lines in said Riverside County outside said District Coachella Service Area, and (c) its electric transmission line extending between Rincon in the County of San Diego, California and El Centro in said County of Imperial, to Imperial Irrigation District, a public agency of the State of California, for a consideration stated in the application to be \$4,900,000, subject to certain adjustments; all as more fully appears in the application on file with the Commission.

The proposed sale and transfer is to be made under a contract containing conditions providing for the segregation of service areas and which in general are said to limit the electric operations and sales of the District to Imperial County and to a portion of Riverside County designated in the contract as "District Coachella Service Area," and restrict the applicant from direct or indirect electric operations in the said areas allocated to the District, all subject to certain exceptions.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 11th day of September, 1943, file with the Federal Power Commission a petition or protest in accordance with the Rules of Practice and Regulations of the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-13974; Filed, August 27, 1943;
10:42 a. m.]

[Docket No G-230]

TENNESSEE GAS AND TRANSMISSION
COMPANY

ORDER GRANTING FURTHER HEARING

AUGUST 24, 1943.

Upon consideration of the petitions filed on August 3 and August 6, 1943, by Louisiana Public Service Commission, the Department of Conservation of the State of Louisiana, the Department of Commerce and Industry of the State of Louisiana, Anthracite Institute, National Coal Association, United Mine Workers of America, and Railway Labor Executives Association, for further hearing with respect to Commission's Opinion No. 93 and order of July 5, 1943, and upon further consideration of the evidence adduced of record and the briefs and order of July 5, 1943; and

It appearing to the Commission that:

(a) The hearing in the above proceeding is scheduled to reconvene on September 8, 1943, at 9:45 a. m., e. w. t., in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue NW, Washington, D. C.;

(b) Petitioners seek opportunity to submit additional testimony in support of their position and to be afforded further opportunity for oral argument;

(c) It may be in the public interest to permit the several interveners to submit evidence and make further oral argument;

The Commission orders that: At the aforesaid hearing heretofore set to be held commencing September 8, 1943, at 9:45 a. m. (e. w. t.), in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., or at any postponement or adjournment thereof, the petitioners shall be permitted to submit additional relevant and material evidence and afforded a further opportunity to argue with respect to the matters involved and the issues presented in this proceeding.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-13982; Filed, August 27, 1943;
11:08 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

BERRY FLOWER SHOP, ET AL., DETROIT FLORISTS

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10910), Louis Berry, doing business as Berry Flower Shop, Christopher J. Engel, doing business as Engel's Green House, and Alexander Ivan, doing business as Ivan Flower Shop, all of Detroit, Michigan, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in Detroit and contiguous municipalities west and south of Detroit.

The participants in the plan propose to eliminate waste in the transportation of flowers and related articles by rearranging delivery routes and by pooling the use of their trucks and by reducing and curtailing deliveries. Each participant will operate one truck every third week, making all deliveries for the three participants. Occasionally and with the consent of the other participants Christopher J. Engel will operate his truck, in addition, to transport fertilizer and other materials in connection with his greenhouse. All deliveries beyond a 10-mile radius will be discontinued; and not more than two deliveries a week will be

made to hospitals beyond a 3-mile radius. The participants estimate that effectuation of the plan will result in savings of 6,000 truck-miles a year. Joint selling activities are not contemplated.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 24th day of August 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-13964; Filed, August 26, 1943;
4:51 p. m.]

ICE DEALERS OF TOLEDO, OHIO

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10910), The Ice Delivery Company and 24 others listed in Appendix A hereto, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of ice in Toledo, Ohio, and nearby towns in Ohio and Michigan.

The participants in the plan propose to eliminate wasteful operations in the transportation and delivery of ice by reducing the frequency of deliveries, whether wholesale, retail or "commercial". In Toledo all deliveries will be made only on Mondays, Tuesdays, Thursdays, Fridays, and Saturdays, except that "commercial" deliveries will be made on Wednesdays and Sundays to hospitals and to others where necessary for the preservation of perishable food in transit. Wholesale deliveries will be made on Wednesdays and Sundays only to cash-and-carry stations where required by limited storage space. Wholesale, retail and "commercial" deliveries will be made without exception in the other towns served as follows: In Holland and Sylvania, Ohio, on Mondays, Tuesdays, Thursdays, Fridays, and Saturdays; in Bono, Curtice, Harber View, Maumee, Trilby, and Williston, Ohio, on Mondays, Wednesdays, Fridays, and Saturdays; in Bay Shore, French Town, Monclova, Perrysburg, Reno Beach, Rocky Ridge, Waterville, and Whitehouse, Ohio, on Mondays, Tuesdays, Thursdays, and Saturdays; in Clay

Center and Genoa, Ohio, on Tuesdays, Thursdays, and Saturdays; in Alliston and Martin, Ohio, on Mondays and Fridays; and in Ida, Samaria, and Temperance, Michigan, on Mondays, Wednesdays, Thursday, Fridays, and Saturdays. It is estimated that effectuation of the plan will result in savings of 132,000 truck-miles a year.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 24th day of August 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

APPENDIX A

CARRIERS SERVING TOLEDO, OHIO

- (Domiciled in Toledo except as noted)
1. The Ice Delivery Company, 525 E. Woodliff Avenue.
 2. Bert G. Flowers, Apt. 10, Birmingham.
 3. Michael Gramza, 3410 Lagrange Street.
 4. Charles Yost, 4204 Eastway.
 5. Casper Michalski, 302 Burbank Avenue.
 6. Mike Janikos, 3035 Brown Road.
 7. Ray Edwards, 514 Lagrange Street.
 8. Joe Besancon, 564 Yondota Street.
 9. Ralph Wexler, 1232 Noble Street.
 10. A. Gasman, 1028 Moore Street.
 11. C. Hawkins, 1355 Feit Street.
 12. John J. Purcell, 1317 Paxton Street.
 13. Roy Fauble, 822 Magnolia Street.
 14. Julius Simmons, 913 Woodland Avenue.
 15. Danny Bugaj, 1429½ Belmont Avenue.
 16. A. Carpenter, 1039 Baker Street.
 17. James McPherson, Lambertville, Michigan.
 18. Wm. Jarecki, 2022 Georgia Avenue.

CARRIERS SERVING HOLLAND AND SYLVANIA, OHIO

19. Carl V. Aiken, R. 1, Sylvania, Ohio.
20. G. Harding, Angola Road, Toledo, Ohio.

CARRIERS SERVING BONO, CURTICE, HARBOR VIEW, MAUMEE, TRILEY AND WILLISTON, OHIO

21. Roger Van Hoose, Curtice, Ohio.
22. Williams Bros., by Karl Williams, Perrysburg, Ohio.

CARRIERS SERVING BAY SHORE, FRENCH TOWN, RENO BEACH AND ROCKY RIDGE, OHIO

21. Roger Van Hoose, Curtice, Ohio.

CARRIERS SERVING ALLISTON, CLAY CENTER, GENOA AND MARTIN, OHIO

23. W. A. Gallup, Genoa, Ohio.

CARRIERS SERVING IDA, SAMARIA AND TEMPERANCE, MICHIGAN

24. Paul Bigelow, Temperance, Michigan.
25. The Citizens Ice & Fuel Company, 525 E. Woodruff Avenue, Toledo, Ohio.

[F. R. Doc. 43-13965; Filed, August 26, 1943;
4:51 p. m.]

OFFICE OF PRICE ADMINISTRATION.

LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on August 26, 1943.

Order number and name:
MPR 136, as amended, Order 94, American Brake Shoe Co.

MPR 244, Order 35, Gartland-Haswell Foundry Co.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.

[F. R. Doc. 43-13988; Filed, August 27, 1943;
12:06 p. m.]

Regional, State and District Office Orders.

[Region VII Order G-7 Under 18 (c)]

FLUID MILK IN COLORADO

Order No. G-7 (formerly Order No. 7) under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Order modifying maximum wholesale and retail prices for fluid milk in the State of Colorado.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.18 (c) of the General Maximum Price Regulation; *It is hereby ordered:*

(1) a. The maximum prices of fluid milk sold and delivered at wholesale and retail in glass bottles or paper containers in the Denver area of Colorado shall be, from and after the effective date of this order, as follows:

In glass bottles or paper containers	Grade	Whole-sale	Retail
1/2 pints.....	Approved.....	0.03 1/2	0.05
Pints.....	Approved.....	.06	.08
Quarts.....	Approved.....	.10 1/2	.13
1/2 gallons.....	Approved.....	.20	.25
Gallons.....	Approved.....	.41	.48

b. The maximum prices of fluid milk sold and delivered at wholesale and retail in glass bottles or paper containers in the Colorado Springs-Manitou area of Colorado shall be, from and after the effective date of this order, as follows:

In glass bottles or paper containers	Grade	Whole-sale	Retail
1/2 pints.....	Approved.....	0.03 1/2	0.05
Pints.....	Approved.....	.06	.07
Quarts.....	Approved.....	.11	.13
1/2 gallons.....	Approved.....	.21	.25
Gallons.....	Approved.....	.41	.48

c. The maximum prices of fluid milk sold and delivered in glass bottles or paper containers in the Pueblo area of

Colorado shall be, from and after the effective date of this order, as follows:

In glass bottles or paper containers	Grade	Whole-sale	Retail
1/2 pints.....	Approved.....	0.03 1/2	0.05
Pints.....	Approved.....	.06	.07
Quarts.....	Approved.....	.11	.13
1/2 gallons.....	Approved.....	.21	.25
Gallons.....	Approved.....	.41	.48

d. The maximum prices of fluid milk sold and delivered at wholesale and retail in glass bottles or paper containers in the Adams, Arapahoe, Jefferson, El Paso, Pueblo, Larimer, Weld, Logan, Morgan, Boulder, Gilpin, Clear Creek, Douglas, Teller, Otero and Huerfano area of Colorado shall be, from and after the effective date of this order, as follows:

In glass bottles or paper containers	Grade	Whole-sale	Retail
1/2 pints.....	Approved.....	0.03 1/2	0.05
Pints.....	Approved.....	.06	.07
Quarts.....	Approved.....	.10	.12
1/2 gallons.....	Approved.....	.19	.22
Gallons.....	Approved.....	.37	.44

e. The maximum prices of fluid milk sold and delivered at wholesale and retail in glass bottles or paper containers in the remainder area of Colorado shall be, from and after the effective date of this order, as follows:

In glass bottles or paper containers	Grade	Whole-sale	Retail
1/2 pint.....	Approved.....	.03	.04
Pints.....	Approved.....	.05	.06
Quarts.....	Approved.....	.09	.11
1/2 gallons.....	Approved.....	.18	.21
Gallons.....	Approved.....	.33	.40

(2) From and after the effective date of this order it shall not be obligatory upon any seller of fluid milk to maintain or continue any customary allowance, discount, quantity discount or differential heretofore established by him: *Provided, however,* That any seller at wholesale or retail may sell at a price lower than the maximum prices established by this order if he so desires.

(3) Any person making a first sale of milk to any customer at these established maximum prices shall, at the time of delivery, furnish the buyer with either a printed or written slip containing the following information:

By Order No. G-7 issued by the Regional Administrator of the Office of Price Administration and effective as of 12:01 a. m. on December 23, 1942, the price of milk in this area of Colorado has been fixed at (here state each container size sold and the wholesale and retail prices for the same).

(4) Sellers and distributors of fluid milk who adjust any price upward upon the authority of this order shall, on or before the 20th day of February, A. D. 1943, and on or before the 20th day of each month thereafter, report to the

State Office of Price Administration at Denver, Colorado, the quantity of milk handled during each month, the source or sources of supply from which obtained and the price paid the producer therefor on a butter-fat basis, either directly by the seller or by his immediate or remote supplier who did purchase direct from the producer. This applies only to distributors who purchase some or all of their supply of fluid milk.

(5) *Definitions.* a. "Fluid milk" means cow's milk produced, processed or unprocessed and of approved grade sold in glass or paper containers for consumption in fluid form as whole milk.

b. The "Denver area of Colorado" means all that area lying east of a line drawn north and south through a point five miles east of the most easterly boundary of the municipality of Golden, Colorado, and south of a line drawn east and west through a point one mile north of the most northerly boundary of the platted area known as Westminster, Colorado, and west of a line drawn north and south through a point one mile east of the most easterly barracks or other building located on Buckley Field military reservation, and north of a line drawn east and west through a point one mile south of the most southerly boundary of the municipality of Littleton, Colorado.

c. The "Colorado Springs - Manitou area of Colorado" means all of the area lying east of a line drawn north and south through a point one mile west of the most westerly boundary of the municipality of Manitou, Colorado, and south of a line drawn east and west through a point four miles north of the most northerly boundary of the municipality of Colorado Springs, Colorado, and west of a line drawn north and south through a point one mile east of the most easterly boundary of the municipality of Fountain, Colorado, and north of a line drawn east and west through a point one mile south of the most southerly boundary of Fountain, Colorado.

d. The "Pueblo area of Colorado" means all that area lying east of a line drawn north and south through a point three miles west of the most westerly boundary of the municipality of Pueblo, Colorado, and south of a line drawn east and west through a point three miles north of the most northerly boundary of the municipality of Pueblo, Colorado, and west of a line drawn north and south through a point three miles east of the most easterly boundary of the municipality of Pueblo, Colorado, and north of a line drawn east and west through a point three miles south of the most southerly boundary of the municipality of Pueblo, Colorado.

e. The "Adams, Arapahoe, Jefferson, El Paso, Pueblo, Larimer, Weld, Logan, Morgan, Boulder, Gilpin, Clear Creek, Douglas, Teller, Otero and Huerfano area of Colorado" means all of the areas lying within the geographical boundaries of those counties of the State of Colo-

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rado, except such parts and portions thereof as are included within either the "Denver area", "Colorado Springs-Manitou area", or the "Pueblo area", as hereinabove defined.

f. The "Remainder area of Colorado" means all that area within the geographical boundaries of the State of Colorado which is not included in any one of the areas described in sub-paragraphs b, c, d, and e of this paragraph (5).

(6) Any seller who has established maximum prices under § 1499.2 of the General Maximum Price Regulation, or any applicable price regulation supplementary thereto or pursuant to any market agreement or order made or issued under the provisions of the Agricultural Market Agreement Act as Amended, that are higher than the prices fixed by this order, may continue to sell at such higher established maximum price and the same shall not be modified or superseded by this order.

(7) In computing prices for a quantity purchase either at wholesale or retail, fractions of less than one-half cent shall be adjusted downward to the next cent, and fractions of one-half cent or more shall be adjusted upward to the next cent, and where a sale involves a single fractional unit or a single unit with a fractional price, the price shall be adjusted upward to the next cent. For example, a maximum price of 13½¢ for one unit will be adjusted to 14¢.

(8) This order may be revoked, modified or amended by the Price Administrator or the Regional Administrator at any time.

(9) This order becomes effective at 12:01 o'clock a. m. on December 23, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 23d day of December 1942.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-13916; Filed, August 24, 1943;
4:09 p. m.]

[Region VII Order G-7 Under 18 (c),
Amdt. 1]

FLUID MILK IN CAMP HALE, COLORADO

Amendment No. 1 to Order No. G-7 (formerly Order No. 7) under § 1499.18 (c) of the General Maximum Price Regulation. Modifying maximum wholesale and retail prices for fluid milk in the State of Colorado.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

Paragraph (1) of Order No. 7 modifying maximum wholesale and retail prices for fluid milk in the State of Colorado is hereby amended as follows:

Subparagraph e. is redesignated subparagraph f. and a new sub-paragraph e. is hereby inserted and added as follows:

e. The maximum prices for fluid milk and cream sold and delivered in glass bottles or paper containers, and of the other milk products named below sold to

the Government purchasing agencies for Camp Hale, Colorado, and delivered there, shall, from and after the effective date of this amendment, be as follows:

In glass bottles or paper containers	Grade	Maximum prices
Milk	Approved	14¢ per quart.
Coffee cream (18% butterfat)	Approved	50½ per quart.
Buttermilk	Approved	11½ per quart.
Chocolate drink	Approved	13½ per quart.

Subparagraph (5) f. is hereby amended and redesignated sub-paragraph g. and a new sub-paragraph f. is hereby inserted and added as follows:

f. "Camp Hale, Colorado", means all that area within the geographical boundaries of the Camp Hale Military Reservation at Pando, Colorado.

This amendment order may be revoked, modified or amended by the Price Administrator or Regional Administrator at any time.

This amendment order becomes effective at 12:01 o'clock a. m. on January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 12th day of January 1943.

ARNOLD E. SCOTT,
Acting Regional Administrator.

[F. R. Doc. 43-13917; Filed, August 24, 1943;
4:09 p. m.]

[Region VII Order G-7 Under 18 (c),
Amdt. 2]

FLUID MILK IN GILPIN COUNTY AREA, COLO.

Amendment No. 2 to Order No. G-7 (formerly Order No. 7) under § 1499.18 (c) of the General Maximum Price Regulation. Wholesale and retail prices for fluid milk in the State of Colorado.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(1) Paragraph (1) of Order No. G-7, as amended, modifying maximum wholesale and retail prices for fluid milk in the State of Colorado, is hereby amended as follows:

Subparagraph (f), as amended, is redesignated subparagraph (g) and a new subparagraph (f) is hereby inserted and added as follows:

(f) The maximum prices for fluid milk sold and delivered in glass bottles or paper containers in the Gilpin County area shall, from and after the effective date of this amendment, be as follows:

Container size	Grade	Kind of container	Whole-sale	Re-tail
½ pints	Approved	Glass or paper	3½¢	5¢
Pints	Approved	Glass or paper	6¢	7¢
Quarts	Approved	Glass or paper	11¢	13¢
½ gallons	Approved	Glass or paper	21¢	25¢
1½ gallons	Approved	Glass or paper	41¢	48¢

(2) Subparagraph (5) (g), as amended, is hereby redesignated subparagraph

(h) and a new subparagraph (g) is hereby inserted and added as follows:

(g) "Gilpin County area" means all that area within the geographical boundaries of the County of Gilpin, State of Colorado.

(3) This amended order may be revoked, modified or amended by the Price Administrator or Regional Administrator at any time.

(4) This Amendment No. 2 becomes effective at 12:01 a. m. on February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of January 1943.

ARNOLD E. SCOTT,
Acting Regional Administrator.

[F. R. Doc. 43-13918; Filed, August 24, 1943;
4:09 p. m.]

[Region VII Order G-7 Under 18 (c),
Revocation]

FLUID MILK IN COLORADO

Revocation of Revised Order No. G-7 under § 1499.18 (c) of the General Maximum Price Regulation. Fluid milk in Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in an opinion issued simultaneously here-with, *It is hereby ordered, That:*

(a) *Revised Order No. G-7 revoked.* Revised Order No. G-7, issued under § 1499.18 (c) of the General Maximum Price Regulation, is hereby revoked retroactively as of 12:01 a. m. on February 23, 1943.

(b) *Order No. G-7 and Amendments No. 1 and No. 2 thereto reinstated.* Order No. G-7, issued under § 1499.18 (c) of the General Maximum Price Regulation by this Regional Office on December 23, 1942, and Amendment No. 1 issued January 12, 1943, and Amendment No. 2 thereto issued January 31, 1943, are hereby reinstated and declared to be in full force and effect as of their respective effective dates.

(c) *Effective date.* This order shall become effective on August 10, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-13845; Filed, August 24, 1943;
4:08 p. m.]

[Region VIII Order G-23 Under 18 (c),
Amdt. 1]

TRANSPORTATION OF FRUITS AND VEGETABLES
IN CALIFORNIA

Amendment No. 1 to Order No. G-23 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the trans-

portation of certain fruits and vegetables by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered*, That Order No. G-23 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended in the following particulars:

Paragraph (c) is amended to read as follows:

(c) This order shall apply in the State of California.

Appendix A is amended to read as follows:

Appendix A

[Adjusted maximum prices in cents per hundred pounds]

Over	But not over	Miles			Minimum weight		
		10,000 pounds	18,000 pounds	30,000 pounds	10,000 pounds	18,000 pounds	30,000 pounds
0	5	10.0	8.0	7.5			
5	10	10.0	9.0	8.5			
10	15	11.0	10.0	9.0			
15	20	11.0	10.5	9.5			
20	25	12.0	11.0	10.0			
25	30	13.0	11.5	11.0			
30	35	14.0	12.0	11.5			
35	40	15.0	13.0	12.0			
40	45	15.5	14.0	13.0			
45	50	16.5	15.0	14.0			
50	60	18.0	16.0	15.0			
60	70	19.0	17.0	16.0			
70	80	20.0	18.0	17.0			
80	90	21.5	19.0	18.0			
90	100	22.5	20.5	19.0			
100	110	23.5	21.5	20.0			
110	120	25.5	22.5	21.0			
120	130	26.5	23.5	22.0			
130	140	27.5	24.5	23.0			
140	150	28.5	25.5	24.0			
150	160	29.5	26.5	25.0			
160	170	30.5	27.5	26.0			
170	180	32.0	29.0	27.0			
180	190	33.0	30.0	28.0			
190	200	34.0	31.0	29.0			
200	220	35.5	32.5	30.5			
220	240	37.5	34.0	32.0			
240	260	39.0	35.5	33.5			
260	280	40.5	37.0	35.0			
280	300	42.5	39.0	36.5			
300	325	45.0	41.0	38.5			
325	350	48.0	44.0	40.5			

This amendment shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of July 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-13844; Filed, August 24, 1943;
4:10 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-813]

ATLANTA AND CHARLOTTE AIR LINE RAILWAY CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its

No. 171—3

office in the City of Philadelphia, Pa., on the 25th day of August, A.D. 1943.

The Baltimore Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the \$100 Par Capital Stock of The Atlanta and Charlotte Air Line Railway Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 2:00 p.m. on Tuesday, September 7, 1943, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William W. Swift, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-13966; Filed, August 27, 1943;
9:48 a. m.]

[File No. 31-174]

GENERAL ELECTRIC COMPANY, ET AL.

ORDER GRANTING EXTENSION OF EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of August 1943.

In the matter of General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation.

General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation, direct or indirect owners of 307,005 shares of common stock and 35,000 shares of the Prior Lien Preferred and Preferred stocks of New England Public Service Company, a registered holding company, constituting 23.7% and 2.7%, respectively of the voting securities of said company, having filed a verified application for an extension to at least August 31, 1944 of the period of effectiveness of the exemption granted them pursuant to section 3 (a) (3) of the Public Utility Holding Company Act of 1935 by our orders of March 16, 1938, August 18, 1941 and September 14, 1942, alleging in substance that they have been unable to dispose of their Prior Lien Preferred and Preferred stocks of New England Public Service Company at a price which they believe to be fair and that they will be unable so to do prior to the completion of the pending reorgani-

zation of that company, and offering to extend for any extended period of exemption their agreement to refrain from disposing of the common stock of New England Public Service Company until this Commission has approved a plan of reorganization for that company or until specific approval of such disposition is granted by this Commission; and the Commission having considered said application and the reasons in support thereof, and it appearing to the Commission that an extension of the period of effectiveness of said exemption should be granted;

It is ordered, That the period of effectiveness of the Commission's order of September 14, 1942, which order modified and extended the period of effectiveness of an order dated March 16, 1938, pursuant to section 3 (a) (3) of said Act with respect to General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation be and hereby is extended to the close of business on August 31, 1944 and that until such date, General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation be and they hereby are exempted from all those provisions of the Public Utility Holding Company Act of 1935 which, as a result of their present holdings of Prior Lien Preferred, Preferred and Common stocks of New England Public Service Company, would require them to register under said Act as a public utility holding company; and

It is further ordered, That the jurisdiction of this Commission be and hereby is further reserved for the purpose of modifying or revoking this order after notice and opportunity for hearing as the public interest or the interest of investors and consumers may warrant.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-13967; Filed, August 27, 1943;
9:49 a. m.]

[File Nos. 54-50, 59-39, 59-10]

NORTH AMERICAN LIGHT AND POWER CO., ET AL.

MEMORANDUM FINDINGS, OPINION AND ORDER APPROVING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 26th day of August 1943.

In the matter of North American Light & Power Company, File No. 54-50; North American Light & Power Company Holding Company System and The North American Company, File No. 59-39; and The North American Company, et al., File No. 59-10.

Pursuant to our order of December 30, 1941, in the matter entitled North American Light & Power Company Holding Company System, and The North American Company (Holding Company Act Release No. 3233), requiring the liquidation of North American Light & Power Company (Light & Power) and the termination of its existence, Light & Power, a registered holding company and its sub-

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sidiary, Illinois Traction Company (Traction), also a registered holding company, and Western Illinois Ice Company (Western), a wholly-owned non-utility subsidiary of Traction, engaged in the manufacture, storage and sale of ice have jointly filed application No. 6 and an amendment thereto under sections 9 (a), 10, 11 (b) and 12 (b), 12 (e) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, and U-45 thereunder.

Said filing requests our approval of (1) the sale of all of the common stock of Western (1,500 shares) presently owned by Traction to Light & Power for \$93,000 and (2) the payment by Western of all of its cash in banks as of June 1, 1943 (estimated at approximately \$47,000) to Light & Power in reduction of the 7% income note of Western held by Light & Power on which there is an unpaid balance of \$425,000, and (3) the surrender by Light & Power of said income note in its reduced amount to Western as a contribution to surplus in the approximate amount of \$378,000, and upon the completion of the above recited transactions, (4) the sale by Light & Power to Union Service Corporation, a non-affiliated non-utility company, of the said 1,500 shares of the common stock of Western for a cash consideration of \$93,000. The net result of these transactions is the transfer of all of the common stock of Western from Traction to Union Service Corporation, for a consideration of \$93,000 cash and the relinquishing of Light & Power's claim for the balance due on the note after receipt of all of the cash of Western in banks as of June 1, 1943. Traction proposes to use a portion of the proceeds to retire the 217 shares of its cumulative preferred \$100 par value 6% stock outstanding, 210 shares being held by the public and 7 shares by Light & Power. The matter of the retirement of Traction's outstanding preferred stock will be the subject of a separate application. This matter is not before us at this time and we make no findings as to the propriety of the contemplated use of the proceeds.

A public hearing has been held on said application after appropriate notice. Having examined the record, we find that no adverse findings are necessary under the applicable sections of the Act and the Rules promulgated thereunder, and that the transactions proposed are necessary to effectuate the provisions of section 11 (b) of said Act and our order of December 30, 1941, and are fair and equitable to the persons affected thereby.

It is therefore ordered, That the transactions proposed in application No. 6, as amended, be and are hereby approved as submitted, subject, however, to the provisions of Rule U-24. We reserve jurisdiction to determine the use of the proceeds of the sale received by Traction pending the filing of a separate application.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-13971; Filed, August 27, 1943;
9:49 a. m.]

[File No. 70-26]

MANUFACTURERS LIGHT AND HEAT CO., ET AL.
ORDER CONSENTING TO WITHDRAWAL OF APPLICATION OR DECLARATION (OR BOTH)

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of August 1943.

In the matter of the Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company and Greensboro Gas Company on behalf of the Manufacturers Light and Heat Company and Columbia Gas & Electric Corporation, individually.

Columbia Gas & Electric Corporation, a registered holding company, and its subsidiaries, The Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company and Greensboro Gas Company, having filed a request to withdraw their joint application or declaration (File No. 70-26) regarding the issue and sale by a proposed new Manufacturers Light and Heat Company (to be created through the consolidation of said four subsidiaries) of \$7,500,000 principal amount of 4½%, 30-year notes and the acquisition thereof by Columbia Gas & Electric Corporation, said request setting forth that, because of subsequent transactions, the issue of such note indebtedness is no longer required, and said proposal having been eliminated by amendment filed August 3, 1943; and

It appearing to the Commission that the withdrawal of said application or declaration is not detrimental to the public interest or to the interests of investors or consumers.

It is ordered, That the request of The Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company and Greensboro Gas Company be, and it hereby is, granted and said application or declaration is hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-13968; Filed, August 27, 1943;
9:48 a. m.]

[File No. 70-770]

THE NORTH AMERICAN COMPANY

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 26th day of August 1943.

The North American Company, a registered holding company, has filed a declaration pursuant to section 12(d) of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-44 of the General Rules and Regulations promulgated thereunder, regarding a proposal to pay a dividend on its common stock in the common capital stock of Pacific Gas & Electric Company having a par value of \$25 per share, owned

by The North American Company, at the rate of one share of such stock of Pacific Gas and Electric Company on each one hundred shares of the outstanding common stock of The North American Company. In lieu of certificates for fractions of shares of stock of Pacific Gas and Electric Company, cash will be paid at the rate of 29 cents for each 1/100th of a share of such stock of Pacific Gas and Electric Company, this rate being based on the approximate market price of \$28.50 per share as of August 3, 1943, the date the proposed dividend was declared.

Said declaration having been filed on the 6th day of August 1943, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said Act and the Commission not having received a request for hearing with respect to said declaration within the period specified in such amended notice, or otherwise, and not having ordered a hearing thereon; and

The commission finding that the requirements of section 12 (d) and Rules U-43 and U-44 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-13969; Filed, August 27, 1943;
9:48 a. m.]

[File No. 70-776]

ATLANTA GAS LIGHT COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of August, A. D. 1943.

Notice is hereby given that an application and declaration have been filed pursuant to the Public Utility Holding Company Act of 1935, by Atlanta Gas Light Company, a subsidiary of Consolidated Electric and Gas Company, a registered holding company.

All interested persons are referred to said application and declaration, which are on file at the offices of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Atlanta Gas Light Company proposes to publicly invite bids in accordance with Rule U-50 for the purchase of the following securities, which it proposes to issue and sell: (1) \$7,500,000 principal amount First Mortgage Bonds, due 1963, the interest rate to be fixed by the successful bidder and in no event to exceed 3½% and such bonds to be sold for not

less than the principal amount thereof plus accrued interest thereon from September 1, 1943 to the date of purchase; and (2) 20,000 shares of 5% Cumulative Preferred Stock, par value \$100 per share, such stock to be sold for not less than the par value thereof plus accrued dividends thereon from September 1, 1943 to the date of purchase.

The proceeds from the sale of such securities are to be used by the applicant-declarant as follows: (a) to redeem \$5,875,000 principal amount of its General Mortgage Bonds, 4½% Series, due 1955, at 104% of the principal amount thereof together with accrued interest thereon; (b) to redeem \$2,150,000 principal amount of its General Mortgage Bonds, 3½% Series, due 1961 at 104½% of the principal amount thereof together with accrued interest thereon; (c) to redeem 13,000 shares of its 6% Cumulative Preferred Stock, \$100 par value, at \$110 per share plus accrued dividends thereon; and (d) to pay the expenses of such financing. In the event that the proceeds of sale of the New Bonds and New Preferred Stock are insufficient to redeem all of said General Mortgage Bonds and outstanding preferred stock and to pay said expenses, the deficiency will be paid from the general funds of the Company.

In addition, the applicant-declarant proposes to deposit with The New York Trust Company, as Successor Trustee under the Indenture of Mortgage, dated June 1, 1897, securing its presently outstanding First Mortgage Five Per Cent, Fifty Year Gold Bonds, due June 1, 1947 (outstanding in the principal amount of \$306,000, as of June 30, 1943), an amount sufficient to pay the principal of all of said bonds presently outstanding, together with the interest accruing thereon to the expressed maturity date thereof. Applicant-declarant will use its general funds for this purpose.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said application and declaration shall not be granted except pursuant to further order of this Commission.

It is ordered, That a hearing on said matter under the applicable provisions of said Act and rules of the Commission thereunder be held on September 8, 1942 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held. Notice is hereby given of said hearing to the above-named applicant-declarant and to all interested persons, said notice to be given to said applicant-declarant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to

exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issuance and sale of bonds and preferred stock are solely for the purpose of financing the business of the company.

(2) Generally, whether in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the Act or the rules and regulations promulgated thereunder.

(3) Whether, if the proposed transactions are approved by the Commission, it is necessary and appropriate to impose terms and conditions in the public interest or for the protection of investors and consumers, and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-13970; Filed, August 27, 1943;
9:48 a. m.]

WAR FOOD ADMINISTRATION.

MEATS AND LIVESTOCK

DELEGATIONS OF AUTHORITY TO ORDER ADMINISTRATOR, ETC.

Pursuant to the authority vested in me by Food Distribution Order 75 (8 F.R. 11119), and to effectuate the purposes of that order and of Director Food Distribution Order 75-1 (8 F.R. 11327), the following delegations of authority are hereby made, to be exercised in accordance with applicable procedure:

(a) *Order administrator*. The Administrator or Alternate Administrator of Director Food Distribution Order 75-1, *supra*, is authorized, subject to the supervision of the Chief of the Livestock and Meats Branch, Food Distribution Administration, War Food Administration, to grant or deny petitions for relief from hardship submitted by any slaughterer, and with respect to all slaughterers designated as "national packers" by the Livestock and Meats Branch, Food Distribution Administration, War Food Adminis-

tration:

(1) To issue, suspend, or revoke licenses, and to deny applications for licenses;

(2) To establish, assign, adjust, revise, suspend, or revoke quotas or quota bases.

(b) *Regional directors*. Regional Directors of the Food Distribution Administration, War Food Administration, are authorized, with respect to custom slaughterers and all slaughterers except national packers as referred to in (a) hereof:

(1) To issue, suspend, or revoke licenses and permits, and to deny applications for licenses and permits;

(2) To establish, assign, adjust, revise, suspend, or revoke quotas and quota bases;

(3) To classify and reclassify slaughterers; and

(4) To grant or deny petitions for relief from hardship.

(c) *State supervisors*. State supervisors of the Food Distribution Administration, War Food Administration, are authorized, subject to supervision by Regional Directors, to grant or deny petitions for relief from hardship submitted by Class 3 slaughterers.

(d) *Area supervisors*. Area supervisors of the Food Distribution Administration, War Food Administration, are authorized, subject to supervision by Regional Directors:

(1) To insure or deny permits to Class 3 slaughterers;

(2) To establish, assign, adjust, or revise quotas and quota bases for Class 3 slaughterers;

(3) In those counties where there are no County War Boards, to issue or deny permits authorizing any farmer to deliver, during any calendar year, not more than 400 pounds of meat derived from the slaughter of livestock for home consumption; and

(4) In those counties where there are no County War Boards, to authorize the slaughter of livestock in emergencies to avoid waste and to conserve meat.

(e) *County war boards*. County War Boards or authorized members thereof are authorized:

(1) To issue or deny permits authorizing any farmer to deliver, during any calendar year, not over 400 pounds of meat derived from the slaughter of livestock for home consumption; and

(2) To authorize the slaughter of livestock in emergencies to avoid waste and to conserve meat.

(f) All authority herein conferred shall be exercised in accordance with the provisions of the above-mentioned orders, and in accordance with instructions which have been or will be issued by the Director of Food Distribution.

(g) Nothing contained herein shall be construed to effect any power or authority vested in the Director of Food Distribution.

Issued this 26th day of August 1943.

Roy F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-13983; Filed, August 27, 1943;
11:17 a. m.]

[Docket No. AO 10-A 9]

ST. LOUIS, MISSOURI, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the St. Louis, Missouri, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure (7 CFR, 1941 Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2815), notice is hereby given of a hearing

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to be held at the Forest Park Hotel, St. Louis, Missouri, beginning at 10 a. m., c. w. t., September 3, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area. These amendments have not received the approval of the War Food Administrator.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. The amendments which have been proposed are set forth below.

Amendments Proposed by Sanitary Milk Producers

1. Delete from § 903.4 (a) (1) the figures "0.80", "1.00", and "0.90" and substitute therefor the figures "1.50", "1.80", and "1.60", respectively; or provide a percentage increase over the basic formula price to compensate producers equitably as basic prices fluctuate.

2. Delete from § 903.4 (a) (2) the figures "0.20", "0.40", and "0.25" and substitute therefor the figures "0.90", "1.10", and "0.95", respectively.

3. Amend the proviso of § 903.4 (a) (2) to eliminate the evaporated milk price for any delivery period when milk is received from sources other than producers.

4. Amend § 903.3 to provide for the allocation of producer milk to Class I prior to the allocation of any milk from other sources to such class.

5. Amend § 903.3 (b) (2) to reduce the plant shrinkage allowance from 3 percent to 2 percent.

6. Amend § 903.8 (c) to provide a butterfat differential of 3 cents per point of butterfat below 3.5 percent and a differential per point of butterfat above 3.5 percent as follows: add 20 percent of the price per pound of 92-score butter at Chicago to such butter price, and divide the resulting sum by 10.

7. Amend § 903.3 (e) and § 903.7 (a) to provide for the classification and pricing, according to use, of butterfat in excess of that shown to have been received by handlers.

Amendments Proposed by the Square Deal Milk Producers Association and the Cooperative Milk Producers of Missouri

1. Amend § 903.4 (a) (1) to provide that the price for Class I milk shall be the average price determined under subparagraph 3 of such section plus \$1.80 per hundredweight: *Provided*, That the said premium (\$1.80 per hundredweight) shall be decreased 20 cents per hundredweight during the months of April through June and 10 cents per hundredweight during the months of December through March if, during said months, no milk is being imported by handlers in this area from outside areas or markets, and also if, during said months, no emergency milk or uninspected milk is being permitted to be brought into the St. Louis marketing area by the health department of the City of St. Louis, in either of which events no such decrease shall be permitted for said months.

2. Amend § 903.4 (a) (2) to provide that the price for Class II milk shall be the average price per hundredweight determined under subparagraph 3 of such section plus \$1.00 per hundredweight: *Provided*, That said premium (\$1.00 per hundredweight) shall be decreased 10 cents per hundredweight during the months of April through June and 5 cents per hundredweight during the months of December through March if, during said months, no milk is being imported by handlers in this area from outside areas or markets, and also, if during said months, no emergency milk or uninspected milk is being permitted to be brought into the St. Louis marketing area by the health department of the City of St. Louis, in either of which events no such decrease shall be permitted for said months.

3. Amend § 903.4 (a) (2) to eliminate the proviso of such subparagraph during any delivery period when milk is brought in from outside markets or marketing areas, or when uninspected or lower grade milk is allowed to be brought into the St. Louis marketing area under emergency orders or permits of the health department of the City of St. Louis.

4. Amend § 903.3 to provide that credit be given to local St. Louis producers for all Class I milk and to prohibit the allocation of any milk imported from other sources to such class.

5. Amend §§ 903.3 (e) and 903.7 (a) to provide for the classification of butterfat (and the crediting to producers for the value of such butterfat) in excess of that shown by handlers to have been received.

Amendments Proposed by St. Louis Milk Handlers

1. Amend § 903.3 (b) (2) to provide for actual plant shrinkage not to exceed 3 percent on the total receipts of butterfat from all sources.

2. Amend § 903.4 (a) (2) to provide that the price of milk used by handlers for evaporated milk in hermetically sealed containers, or disposed of by handlers to the plant of any other person where such milk is manufactured into evaporated milk and placed in hermetically sealed containers, shall be the average of the basic, or field, prices per hundredweight determined for the plants listed in subparagraph 3 of said section.

Amendments Proposed by the Dairy and Poultry Branch, Food Distribution Administration

1. Delete from § 903.1 (a) (3) the term "Carondelet Township" and substitute therefor the phrase "Lemay and Gravois Townships."

2. Review § 903.1 (a) (5) (definition of producer) in light of recent changes in health department regulations affecting producers.

3. Delete from § 903.8 (c) the reference "§ 903.4 (a) (1)" wherever it appears and substitute therefor the following reference "§ 903.4 (a) (3)."

4. Amend § 903.3 to clarify such provision regarding the proration of plant shrinkage between approved and unapproved milk receipts.

5. Add as § 903.1 (a) (9) the following:

(9) The term "emergency milk" means milk, skim milk, or cream received by a handler from sources other than producers under a permit to receive such milk, skim milk, or cream, issued to him by the proper health authorities.

6. Delete § 903.3 (e) (4) (ii) and substitute therefor the following:

(ii) Subtract from the hundredweight of Class II milk the hundredweight of emergency milk received; and

7. Amend § 903.5 to provide for the reporting of emergency milk.

8. Delete § 903.1 (a) (2) and substitute therefor the following:

(2) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator.

9. Amend § 903.3 to provide for the computation and accounting of milk in each class in terms of the skim milk and butterfat used in such class.

10. Add as § 903.4 (e) a paragraph to provide for a butterfat differential to handlers as distinguished from the butterfat differential to producers.

11. Review § 903.4 (d).

12. Amend § 903.7 to provide for the computation of a uniform price to producers irrespective of the utilization of their milk by the individual handlers who receive it (market-wide pool).

13. Add as § 903.14:

§ 903.14 *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

AUGUST 27, 1943.

[F. R. Doc. 43-13984; Filed, August 27, 1943;
11:17 a. m.]

WAR PRODUCTION BOARD.

[Certificate 118]

ICE DELIVERY IN TOLEDO AREA

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by the persons named therein with respect to the transportation and delivery of ice in Toledo, Ohio, and nearby towns in Ohio and Michigan.¹

¹ Supra.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the Recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

AUGUST 24, 1943.

[F. R. Doc. 43-13962; Filed, August 26, 1943;
4:51 p. m.]

[Certificate 119]

DELIVERY OF FLOWERS, ETC., IN DETROIT

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by the persons named therein with respect to the transportation and delivery of flowers and related articles in Detroit, Michigan.¹

Supra.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the Recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

AUGUST 24, 1943.

[F. R. Doc. 43-13963; Filed, August 26, 1943;
4:51 p. m.]

